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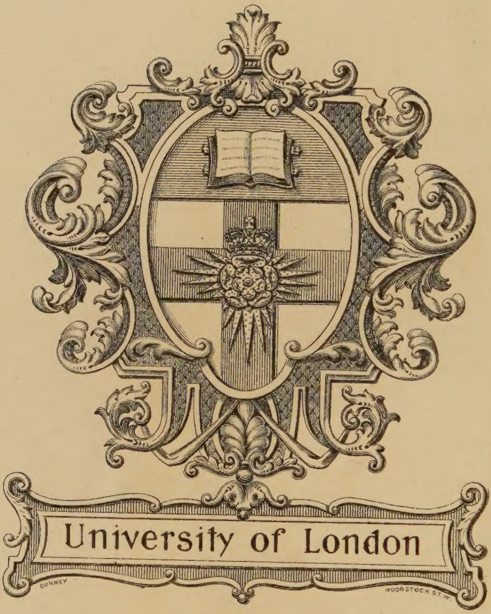
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HANSARD'S

PARLIAMENTARY DEBATES:

THIRD SERIES,

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

16° VICTORIÆ, 1852.

VOL. CXXIII.

COMPRISING THE PERIOD FROM

THE FOURTH DAY OF NOVEMBER,

TO

THE THIRTY-FIRST DAY OF DECEMBER, 1852.

First Volume of the Session.

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"That it is the Opinion of this House that this Policy, firmly maintained and prudently extended, will, without inflicting Injury on any important Interest, best enable the Industry of the Country to bear its Burthens, and will thereby most surely promote the Welfare and Contentment of the People:

"That this House will be ready to take into Consideration any Measures consistent with these Principles, which, in pursuance of Her Majesty's gracious Speech and Recommendation, may be laid before it"—Amendment *withdrawn*—Then it was *moved*, in the original Motion to leave out "thankfully acknowledging the general Prosperity, and deeply sensible of the Evils attending frequent Changes in the Financial Policy of the Country." The same was *agreed to.* Then the said original Motion, as amended, was *agreed to, Nemine Dissentiente,* as follows:—"*Resolved,* That this House adheres to the Commercial System recently established, and would view with Regret any renewed Attempt to disturb its Operation or impede its further Progress" 922

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,, 6. *Oldham*—William Johnson Fox, Esq., *v.* John Duncuft, deceased.

,, 7. *Peterborough*—John Hammond Whalley, Esq., *v.* Hon. Richard Watson, deceased.

,, 8. *Bury St. Edmunds*—James Henry Porteus Oakes, Esq., *v.* Sir John Stuart, appointed a Vice-Chancellor.

,, 15. *Lisburne*—Roger Johnson Smyth, Esq., *v.* Sir James Emerson Tennent, Manor of Northstead.

,, 16. *Merthyr Tydvil*—Henry Austin Bruce, Esq., *v.* Sir Josiah John Guest, Bt., deceased.

THE MINISTRY OF THE EARL OF DERBY,

AS IT STOOD AT THE MEETING OF THE PARLIAMENT, ON THE 4TH OF NOVEMBER, 1852.

THE CABINET.

First Lord of the Treasury	Right Hon. Earl of Derby.
Lord Chancellor	Right Hon. Lord St. Leonards.
Chancellor of the Exchequer	Right Hon. Benjamin Disraeli.
President of the Council	Right Hon. Earl of Lonsdale.
Privy Seal	Most Hon. Marquess of Salisbury.
Home Secretary	Right Hon. Spencer Horatio Walpole.
Foreign Secretary	Right Hon. Earl of Malmesbury.
Colonial Secretary	Right Hon. Sir John Somerset Pakington, Bart.
First Lord of the Admiralty	Most Noble Duke of Northumberland.
President of the Board of Control	Right Hon. John Charles Herries.
Postmaster General	Right Hon. Earl of Hardwicke.
President of the Board of Trade	Right Hon. Joseph Warner Henley.
First Commissioner of Works and Public Buildings	Right Hon. Lord John James Robert Manners.

NOT IN THE CABINET.

Commander in Chief	Right Hon. Viscount Hardinge.
Master General of the Ordnance	Right Hon. Lord Raglan.
Paymaster of the Forces, and Vice-President of the Board of Trade	Right Hon. Lord Colchester.
Secretary at War	Right Hon. William Beresford.
Chancellor of the Duchy of Lancaster	Right Hon. Robert Adam Christopher.
Lords of the Treasury	Marquess of Chandos, Lord Henry George Charles Gordon Lennox, and Thomas Bateson, Esq.
Lords of the Admiralty	Rear Admiral Hyde Parker, C.B., Rear Admiral Phipps Hornby, C.B., Captain Sir Thomas Herbert, K.C.B., Captain Hon. Arthur Duncombe, and Captain Alexander Milne.
Under Secretary for the Home Department	Sir William Hylton Jolliffe, Bart.
Under Secretary for Foreign Affairs	Lord Stanley.
Under Secretary for the Colonies	Right Hon. Earl of Desart.
Joint Secretaries of the Treasury	William Forbes Mackenzie, Esq., and George Alexander Hamilton, Esq.
Secretary of the Admiralty	Stafford Augustus O'Brien Stafford, Esq.
Joint Secretaries of the Board of Control	Charles Lennox Cumming Bruce, Esq., and Henry James Baillie, Esq.
Surveyor General of the Ordnance	Lieut. General Sir George Henry Frederick Berkeley, K.C.B.
Clerk of the Ordnance	Lieut. Colonel Francis Plunket Dunne.
Attorney General	Sir Frederick Thesiger, Knt.
Solicitor General	Sir FitzRoy Kelly, Knt.
Judge-Advocate General	Right Hon. George Bankes.
Chief Poor Law Commissioner	Right Hon. Sir John Trollope, Bart.
Secretary to the Poor Law Commissioners	Sir James Emerson Tennent, Knt.

SCOTLAND.

Lord Advocate	Right Hon. John Inglis.
Solicitor General	Charles Neaves, Esq.

IRELAND.

Lord Lieutenant	Right Hon. Earl of Eglintoun.
Lord Chancellor	Right Hon. Francis Blackburne.
Chief Secretary	Right Hon. Lord Naas.
Attorney General	Right Hon. Joseph Napier.
Solicitor General	James Whiteside, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	Most Noble Duke of Montrose.
Lord Chamberlain	Most Hon. Marquess of Exeter.
Master of the Horse	Right Hon. Earl of Jersey.
Master of the Buckhounds	Right Hon. Earl of Rosslyn.
Vice-Chamberlain	Right Hon. Viscount Newport.
Treasurer of the Household	Right Hon. Lord Claud Hamilton.
Comptroller of the Household	Right Hon. George Cecil Weld Forester.
Captain of the Yeomen of the Guard	Right Hon. Lord De Ros.
Captain of the Corps of Gentlemen-at-Arms	Right Hon. Earl of Sandwich.
Chief Equerry and Clerk Marshal	Right Hon. Lord Colville.
Mistress of the Robes	Duchess of Athol.

ROLL OF THE LORDS SPIRITUAL AND TEMPORAL

In the *First Session* of the *Sixteenth Parliament* of the United Kingdom of *Great Britain* and *Ireland*.

16° VICTORIÆ, 1852.

His Royal Highness The Prince of Wales.
His Royal Highness George Frederick Alexander Charles Ernest Augustus Duke of Cumberland and Teviotdale. (*King of Hanover.*)
His Royal Highness George William Frederick Charles Duke of Cambridge.
John Bird Archbishop of Canterbury.
Edward Burtenshaw Lord Saint Leonards, *Lord Chancellor.*
Thomas Archbishop of York.
Richard Archbishop of Dublin.
William Earl of Lonsdale, *Lord President of the Council.*
James Brownlow William Marquess of Salisbury, *Lord Privy Seal.*

Henry Charles Duke of Norfolk, *Earl Marshal of England.*
Edward Adolphus Duke of Somerset.
Charles Duke of Richmond.
Henry Duke of Grafton.
Henry Duke of Beaufort.
William Amelius Aubrey de Vere Duke of Saint Albans.
Francis Godolphin D'Arcy Duke of Leeds.
Francis Duke of Bedford.
William Spencer Duke of Devonshire.
George Duke of Marlborough.
John Henry Duke of Rutland.
William Alexander Anthony Archibald Duke of Brandon. (*Duke of Hamilton.*)
William Henry Cavendish Duke of Portland.
George Duke of Manchester.
Henry Pelham Duke of Newcastle.
Algernon Duke of Northumberland.
Arthur Duke of Wellington.
Richard Plantagenet, Duke of Buckingham and Chandos.
George Granville Duke of Sutherland.
Henry Duke of Cleveland.

Brownlow Marquess of Exeter, *Lord Chamberlain of the Household.*
John Marquess of Winchester.
George Marquess of Tweeddale. (*Elected for Scotland.*)
Henry Marquess of Lansdowne.
George Ferrars Marquess Townshend.
James Brownlow William Marquess of Salisbury. (*In another place as Lord Privy Seal.*)
John Alexander Marquess of Bath.
James Marquess of Abercorn.
Richard Marquess of Hertford.
John Patrick Marquess of Bute.
Brownlow Marquess of Exeter. (*In another place as Lord Chamberlain of the Household.*)
Charles Marquess of Northampton.
George Charles Marquess Camden.
Henry William Marquess of Anglesey.
George Horatio Marquess of Cholmondeley.

Henry Weysford Charles Plantagenet Marquess of Hastings.
Charles Marquess of Ailesbury.
George Thomas John Marquess of Westmeath. (*Elected for Ireland.*)
Frederick William Marquess of Bristol.
Archibald Marquess of Ailsa.
John Marquess of Breadalbane.
Richard Marquess of Westminster.
Constantine Henry Marquess of Normanby.
James Andrew Marquess of Dalhousie.

James Earl Graham (*Duke of Montrose*) *Lord Steward of the Household.*
John Earl of Shrewsbury.
Edward Geoffrey Earl of Derby.
Francis Theophilus Henry Earl of Huntingdon.
Robert Henry Earl of Pembroke and Montgomery.
William Earl of Devon.
Charles John Earl of Suffolk and Berkshire.
William Basil Percy Earl of Denbigh.
John Earl of Westmoreland.
George Augustus Frederick Albemarle Earl of Lindsey.
George Harry Earl of Stamford and Warrington.
George William Earl of Winchilsea and Nottingham.
George Earl of Chesterfield.
John William Earl of Sandwich.
Arthur Algernon Earl of Essex.
James Thomas Earl of Cardigan.
George William Frederick Earl of Carlisle.
Walter Francis Earl of Doncaster. (*Duke of Buccleuch and Queensberry.*)
Anthony Earl of Shaftesbury.
——— Earl of Berkeley.
Montagu Earl of Abingdon.
John Savile Earl of Scarborough.
George Thomas Earl of Albemarle.
George William Earl of Coventry.
George Earl of Jersey.
John Earl Poulett.
George Sholto Earl of Morton. (*Elected for Scotland.*)
Cospatrick Alexander Earl of Home. (*Elected for Scotland.*)
Thomas George Earl of Strathmore. (*Elected for Scotland.*)
David Graham Drummond Earl of Airlie. (*Elected for Scotland.*)
David Earl of Leven and Melville. (*Elected for Scotland.*)
Dunbar James Earl of Selkirk. (*Elected for Scotland.*)
Thomas John Earl of Orkney. (*Elected for Scotland.*)
Francis William Earl of Seafield. (*Elected for Scotland.*)
Alfred Earl of Oxford and Earl Mortimer.
Washington Sewallis Earl Ferrers.
William Earl of Dartmouth.
Charles Augustus Earl of Tankerville.
Heneage Earl of Aylesford.
George Augustus Earl Cowper.
Philip Henry Earl Stanhope.
Robert Earl of Harborough.
Thomas Augustus Wolstenholme Earl of Macclesfield.
George William Richard Earl of Pomfret.
James Earl Graham. (*Duke of Montrose.*) (*In another place as Lord Steward of the Household.*)
William Earl Waldegrave.
Bertram Earl of Ashburnham.
Leicester Fitzgerald Charles Earl of Harrington.
John Charles Earl of Portsmouth.
Henry Richard Earl Brooke and Earl of Warwick.
Augustus Edward Earl of Buckinghamshire.
Charles William Earl Fitzwilliam.
Francis Earl of Guilford.
Charles Philip Earl of Hardwicke.
Henry Stephen Earl of Ilchester.
George John Earl De Lawarr.
William Earl of Radnor.
Frederick Earl Spencer.
Henry George Earl Bathurst.
Arthur Wills Blundell Sandys Trumbull Windsor Earl of Hillsborough. (*Marquess of Downshire.*)
George William Frederick Earl of Clarendon.
William David Earl of Mansfield.
William Earl of Abergavenny.

Henry John Earl Talbot.

George Augustus Frederick John Earl Strange. (*Duke of Athol.*) (*In another place as Lord Glenlyon.*)

Ernest Augustus Earl of Mount Edgcumbe.

Hugh Earl Fortescue.

Edward Earl of Digby.

George Earl of Beverley.

Henry Howard Molyneux Earl of Carnarvon.

George Earl Cadogan.

James Howard Earl of Malmesbury.

George John Danvers Earl of Lanesborough. (*Elected for Ireland.*)

Francis William Earl of Charlemont. (*Lord Charlemont.*) (*Elected for Ireland.*)

Stephen Earl of Mount Cashell. (*Elected for Ireland.*)

Robert Earl of Mayo. (*Elected for Ireland*).

John Earl of Erne. (*Elected for Ireland.*)

John Otway O'Connor Earl of Desart. (*Elected for Ireland.*)

William Earl of Wicklow. (*Elected for Ireland.*)

George Charles Earl of Lucan. (*Elected for Ireland.*)

James Earl of Bandon. (*Elected for Ireland.*)

James Dupré Earl of Caledon. (*Elected for Ireland.*)

James Alexander Earl of Rosslyn.

William Earl of Craven.

Arthur George Earl of Onslow.

Charles Earl of Romney.

Henry Thomas Earl of Chichester.

Thomas Earl of Wilton.

Edward James Earl of Powis.

Horatio Earl Nelson.

William Earl of Rosse. (*Elected for Ireland.*)

Charles Herbert Earl Manvers.

Horatio Earl of Orford.

Henry Earl Grey.

William Earl of Lonsdale. (*In another place as Lord President of the Council*).

Dudley Earl of Harrowby.

Henry Earl of Harewood.

Gilbert Earl of Minto.

Charles Murray Earl Cathcart.

James Walter Earl of Verulam.

John Earl Brownlow.

Edward Granville Earl of Saint Germans.

Edmund Earl of Morley.

George Augustus Frederick Henry Earl of Bradford.

John Reginald Earl Beauchamp.

Richard Earl of Glengall. (*Elected for Ireland.*)

Thomas Philip Earl De Grey.

John Earl of Eldon.

Richard William Penn Earl Howe.

Charles Sommers Earl Sommers.

John Edward Cornwallis Earl of Stradbroke.

Charles William Earl Vane. (*Marquess of Londonderry.*)

William Pitt Earl Amherst.

John Frederick Earl Cawdor.

William George Earl of Munster.

William Earl of Burlington.

Robert Dundas Earl of Camperdown.

Thomas William Earl of Lichfield.

George Frederick D'Arcy Earl of Durham.

Frederick John Earl of Ripon.

Granville George Earl Granville.

Henry Earl of Effingham.

Henry George Francis Earl of Ducie.

Charles Anderson Worsley Earl of Yarborough.

James Henry Robert Earl Innes. (*Duke of Roxburghe.*)

Thomas William Earl of Leicester.

William Earl of Lovelace.

Thomas Earl of Zetland.

Charles Noel Earl of Gainsborough.

William Fitzhardinge Earl Fitzhardinge.

Edward Earl of Ellenborough.

Francis Earl of Ellesmere.

John Earl of Strafford.

Charles Edward Earl of Cottenham.

Robert Viscount Hereford.

Henry Viscount Bolingbroke and St. John.

Evelyn Viscount Falmouth.

George Viscount Torrington.

Augustus Frederick Viscount Leinster (*Duke of Leinster.*)

Henry Viscount Maynard.

John Robert Viscount Sydney.

Francis Wheler Viscount Hood.
John Viscount De Vesci. (*Elected for Ireland.*)
Hayes Viscount Doneraile. (*Elected for Ireland.*)
Cornwallis Viscount Hawarden. (*Elected for Ireland.*)
John Bruce Richard Viscount O'Neill. (*Elected for Ireland.*)
Edward Jervis Viscount St. Vincent.
Henry Viscount Melville.
William Leonard Viscount Sidmouth.
Robert Edward Viscount Lorton. (*Elected for Ireland.*)
George Viscount Gordon. (*Earl of Aberdeen.*)
Edward Viscount Exmouth.
Richard John Viscount Hutchinson. (*Earl of Donoughmore.*)
William Carr Viscount Beresford.
William Thomas Viscount Clancarty. (*Earl of Clancarty.*)
Stapleton Viscount Combermere.
Charles John Viscount Canning.
Charles John Viscount Canterbury.
John Viscount Ponsonby.
Rowland Viscount Hill.
Henry Viscount Hardinge.
Hugh Viscount Gough.
Stratford Viscount Stratford de Redcliffe.

Charles James Bishop of London.
Edward Bishop of Durham.
Charles Richard Bishop of Winchester.
John Bishop of Lincoln.
Christopher Bishop of Bangor.
Hugh Bishop of Carlisle.
George Bishop of Rochester.
Richard Bishop of Bath and Wells.
James Henry Bishop of Gloucester and Bristol.
Henry Bishop of Exeter.
Charles Thomas Bishop of Ripon.
Edward Bishop of Salisbury.
George Bishop of Peterborough.
Connop Bishop of St. David's.
Henry Bishop of Worcester.
Ashurst Turner Bishop of Chichester.
John Bishop of Lichfield.
Thomas Bishop of Ely.
Samuel Bishop of Oxford.
Thomas Vowler Bishop of St. Asaph.
James Prince Bishop of Manchester.
Renn Dickson Bishop of Hereford.
John Bishop of Chester.
Samuel Bishop of Norwich.
Richard Bishop of Derry and Raphoe.
Thomas Bishop of Tuam, Killala, and Achonry.
William Bishop of Limerick, Ardfert, and Aghadoe.

William Lennox Lascelles Lord De Ros.
Jacob Lord Hastings.
George Edward Lord Audley.
Peter Robert Lord Willoughby de Eresby.
Henry Otway Lord Dacre.
Charles Rodolph Lord Clinton.
Thomas Lord Camoys.
Miles Thomas Lord Beaumont.
Charles Lord Stourton.
Henry William Lord Berners.
Henry Peyto Lord Willoughby de Broke.
George Lord Vaux of Harrowden.
Henry Lord Paget.
St. Andrew Beauchamp Lord St. John of Bletso.
Charles Augustus Lord Howard de Walden.
William Bernard Lord Petre.
Frederick Benjamin Lord Saye and Sele.
Henry Benedict Lord Arundell of Wardour.
John Stuart Lord Clifton. (*Earl of Darnley.*)
Joseph Thaddeus Lord Dormer.
George Henry Lord Teynham.
Henry Valentine Lord Stafford.
George Anson Lord Byron.
William Lord Ward.
Hugh Charles Lord Clifford of Chudleigh.
Alexander George Lord Saltoun. (*Elected for Scotland.*)
John Lord Gray. (*Elected for Scotland.*)
Charles Lord Sinclair. (*Elected for Scotland.*)
John Lord Elphinstone. (*Elected for Scotland.*)
Charles Lord Blantyre. (*Elected for Scotland.*)

Charles John Lord Colville of Culross. (*Elected for Scotland.*)
Henry Francis Lord Polwarth. (*Elected for Scotland.*)
Edmund Lord Boyle. (*Earl of Cork and Orrery.*)
Thomas Robert Lord Hay. (*Earl of Kinnoul.*)
Digby Lord Middleton.
William John Lord Monson.
George William Frederick Lord Bruce.
George John Brabazon Lord Ponsonby. (*Earl of Bessborough.*)
George John Lord Sondes.
Nathaniel Lord Scarsdale.
George Lord Boston.
Henry Edward Lord Holland.
George James Lord Lovel and Holland. (*Earl of Egmont.*)
George John Lord Vernon.
George Douglas Lord Sundridge. (*Duke of Argyll.*)
Edward William Lord Hawke.
Thomas Henry Lord Foley.
George Rice Lord Dynevor.
Thomas Lord Walsingham.
William Lord Bagot.
Charles Lord Southampton.
Fletcher Lord Grantley.
Robert Dennett Lord Rodney.
Richard Noel Lord Berwick.
John Lord Sherborne.
Henry Lord Tyrone. (*Marquess of Waterford.*)
Richard Lord Carleton. (*Earl of Shannon.*)
Edward Lord Suffield.
Guy Lord Dorchester.
George Lord Kenyon.
Richard Lord Braybrooke.
George Hamilton Lord Fisherwick. (*Marquess of Donegal.*)
James Lord Douglas of Douglas.
Henry Hall Lord Gage. (*Viscount Gage.*)
Edward Thomas Lord Thurlow.
Robert John Lord Auckland.
George William Lord Lyttelton.
Henry Lord Mendip. (*Viscount Clifden.*)
Francis Lord Stuart of Castle Stuart. (*Earl of Moray.*)
Randolph Lord Stewart of Garlies. (*Earl of Galloway.*)
James Thomas Lord Saltersford. (*Earl of Courtown.*)
Charles Lord Brodrick. (*Viscount Midleton.*)
Frederick Lord Calthorpe.
Robert John Lord Carrington.
Henry Lord Bayning.
William Henry Lord Bolton.
John Lord Wodehouse.
John Lord Northwick.
Thomas Atherton Lord Lilford.
Thomas Lord Ribblesdale.
Richard Hobart Lord Fitzgibbon. (*Earl of Clare.*)
Cadwallader Davis Lord Blayney. (*Elected for Ireland.*)
Henry Lord Farnham. (*Elected for Ireland.*)
John Cavendish Lord Kilmaine. (*Elected for Ireland.*)
Robert Lord Clonbrock. (*Elected for Ireland.*)
Edward Lord Crofton. (*Elected for Ireland.*)
Henry Lord Dunalley. (*Elected for Ireland.*)
Eyre Lord Clarina. (*Elected for Ireland.*)
Henry Francis Seymour Lord Moore. (*Marquess of Drogheda.*)
John Henry Loftus Lord Loftus. (*Marquess of Ely.*)
John Lord Carysfort. (*Earl of Carysfort.*)
Richard Pepper Lord Alvanley.
George Ralph Lord Abercromby.
John Thomas Lord Redesdale.
George Lord Rivers.
Arthur Moyses William Lord Sandys.
George Augustus Frederick Charles Lord Sheffield. (*Earl of Sheffield.*)
David Montagu Lord Erskine.
George John Lord Mont Eagle. (*Marquess of Sligo.*)
Archibald William Lord Ardrossan. (*Earl of Eglintoun.*)
James Lord Lauderdale. (*Earl of Lauderdale.*)
George Arthur Hastings Lord Granard. (*Earl of Granard.*)
Hungerford Lord Crewe.
Alan Legge Lord Gardner.

John Thomas Lord Manners.

John Alexander Lord Hopetoun. (*Earl of Hopetoun.*)

Richard Lord Castlemaine. (*Elected for Ireland.*)

George Lord Meldrum. (*Marquess of Huntly.*)

James Lord Ross. (*Earl of Glasgow.*)

William Willoughby Lord Grinstead. (*Earl of Enniskillen.*)

William Henry Tennison Lord Foxford. (*Earl of Limerick.*)

Francis George Lord Churchill.

Frederic James Lord Melbourne. (*Viscount Melbourne.*)

George Francis Robert Lord Harris.

Charles Lord Colchester.

William Schomberg Robert Lord Ker. (*Marquess of Lothian.*)

Francis Nathaniel Lord Minster. (*Marquess Conyngham.*)

John Lord Ormonde. (*Marquess of Ormonde.*)

Francis Charteris Lord Wemyss. (*Earl of Wemyss.*)

Robert Lord Clanbrassill. (*Earl of Roden.*)

Robert Lord Kingston. (*Earl of Kingston.*)

Edward Michael Lord Silchester. (*Earl of Longford.*)

George Augustus Frederick John Lord Glenlyon. (*In another place as Earl Strange.*) (*Duke of Athol.*)

William Lord Maryborough. (*Earl of Mornington.*)

John Lord Oriel. (*Viscount Massereene.*)

Thomas Henry Lord Ravensworth.

Thomas Lord Delamere.

John George Weld Lord Forester.

John James Lord Rayleigh.

Ulysses Lord Downes. (*Elected for Ireland.*)

Robert Francis Lord Gifford.

Percy Clinton Sydney Lord Penshurst. (*Viscount Strangford.*)

Ulick John Lord Somerhill. (*Marquess of Clanricarde.*)

James Lord Wigan. (*Earl of Crawford and Balcarres.*)

Thomas Lord Ranfurly. (*Earl of Ranfurly.*)

George Lord De Tabley.

John Lord Wharncliffe.

William Lord Feversham.

John Singleton Lord Lyndhurst.

James Lord Fife. (*Earl of Fife.*)

John Henry Lord Tenterden.

William Conyngham Lord Plunket.

Thomas Lord Melros. (*Earl of Haddington.*)

Henry Richard Charles Lord Cowley.

William Lord Heytesbury.

Archibald John Lord Rosebery. (*Earl of Rosebery.*)

Richard Lord Clanwilliam. (*Earl of Clanwilliam.*)

Edward Lord Skelmersdale.

William Samuel Lord Wynford.

Henry Lord Brougham and Vaux.

William Henry Lord Kilmarnock. (*Earl of Erroll.*)

Arthur James Lord Fingall. (*Earl of Fingall.*)

Charles William Lord Sefton. (*Earl of Sefton.*)

Nathaniel Lord Clements. (*Earl of Leitrim.*)

George William Fox Lord Rossie. (*Lord Kinnaird.*)

Thomas Lord Kenlis. (*Marquess of Headfort.*)

William Lord Chaworth. (*Earl of Meath.*)

Charles Adolphus Lord Dunmore. (*Earl of Dunmore.*)

Robert Montgomerie Lord Hamilton. (*Lord Belhaven and Stenton.*)

John Hobart Lord Howden.

Fox Lord Panmure.

George Warwick Lord Poltimore.

Edward Pryce Lord Mostyn.

Henry Spencer Lord Templemore.

Valentine Browne Lord Cloncurry.

James Lord De Saumarez.

George Godolphin Lord Godolphin.

Lucius Bentinck Lord Hunsdon. (*Viscount Falkland.*)

Thomas Lord Denman.

Robert Campbell Lord Abinger.

Philip Lord De L'Isle and Dudley.

William Bingham Lord Ashburton.

Charles Lord Glenelg.

Edward John Lord Hatherton.

Archibald Lord Worlingham. (*In another place as Lord Acheson.*) (*Earl of Gosford.*)

Edward Berkeley Lord Portman.

Thomas Alexander Lord Lovat.

William Bateman Lord Bateman.

Francis William Lord Charlemont. (*In another place as Earl of Charlemont.*)

Francis Alexander Lord Kintore. (*Earl of Kintore.*)

Cornelius Lord Lismore. (*Viscount Lismore.*)

Henry Robert Lord Rossmore.

Robert Shapland Lord Carew.

William Francis Spencer Lord De Mauley.

John Lord Wrottesley.

Charles Lord Sudeley.

Frederick Henry Paul Lord Methuen.

Edward John Lord Stanley of Alderley.

Henry Villiers Lord Stuart de Decies.

William Henry Lord Leigh.

Beilby Richard Lord Wenlock.

Charles Lord Lurgan.

Nicholas William Lord Colborne.

Arthur Lord De Freyne.

James Lord Dunfermline.

Thomas Lord Monteagle of Brandon.

John Lord Seaton.

Edward Arthur Wellington Lord Keane.

John Lord Campbell.

John Lord Oxenfoord. (*Earl of Stair.*)

Valentine Lord Kenmare. (*Earl of Kenmare.*)

Charles Crespigny Lord Vivian.

John Lord Congleton.

Denis St. George Lord Dunsandle and Clanconal. (*Elected for Ireland.*)

Archibald Lord Acheson. (*In another place as Lord Worlingham.*) (*Earl of Gosford.*)

Richard Lord Dartrey. (*Lord Cremorne.*)

Richard Bulkeley Philipps Lord Milford.

James Lord Elgin. (*Earl of Elgin and Kincardine.*)

Frederick Temple Lord Clandeboye. (*Lord Dufferin and Claneboye.*)

Albert Denison Lord Londesborough.

Samuel Jones Lord Overstone.

Thomas Lord Truro.

Robert Monsey Lord Cranworth.

John Cam Lord Broughton.

Edward Burtenshaw Lord Saint Leonards.) (*In another place as Lord Chancellor.*)

Fitzroy James Henry Lord Raglan.

Mem.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

LIST OF THE COMMONS.

LIST OF MEMBERS

Returned from the respective Counties, Cities, Towns, and Boroughs, to serve in the *Sixteenth Parliament* of the United Kingdom of *Great Britain and Ireland*: Writs Returnable on the 20th Day of August, 1852.

ABINGDON.
**James Caulfeild.*

ANDOVER.
William Cubitt,
Henry Beaumont Coles.

ANGLESEY.
Sir Richard Bulkeley Williams Bulkeley, bt.

ARUNDEL.
Rt. hon. (Edward Howard) Lord E. Howard.

ASHBURTON.
George Moffatt.

ASHTON-UNDER-LINE.
Charles Hindley.

AYLESBURY.
Austen Henry Layard,
Richard Bethell.

BANBURY.
Henry William Tancred.

BARNSTAPLE.
Sir William Augustus Fraser, bt.,
Richard Bremridge.

BATH.
George Treweeke Scobell,
Thomas Phinn.

BEAUMARIS.
Hon. (George Augustus Frederick Paget) Lord G. A. F. Paget.

BEDFORDSHIRE.
Francis Charles Hastings Russell,
Richard Thomas Gilpin.

BEDFORD.
Henry Stuart,
Samuel Whitbread.

BERKSHIRE.
George Henry Vansittart,
Robert Palmer,
Rt. hon. William (Keppel) Viscount Barrington.

BERWICK-UPON-TWEED.
Matthew Forster,
John Stapleton.

BEVERLEY.
Hon. Francis Charles Lawley,
William Wells.

BEWDLEY.
Sir Thomas Edward Winnington, bt.

BIRMINGHAM.
George Frederick Muntz,
William Scholefield.

BLACKBURN.
James Pilkington,
William Eccles.

BODMIN.
William Michell,
Charles Brune Graves Sawle.

BOLTON-LE-MOORS.
Thomas Barnes,
Joseph Crook.

BOSTON.
Gilbert Henry Heathcote,
Benjamin Bond Cabbell.

BRADFORD.
Robert Milligan,
Henry Wickham Wickham.

BRECKNOCKSHIRE.
Sir Joseph Bailey, bt.

BRECON.
Charles Rodney Morgan.

BRIDGENORTH.
Henry Whitmore,
Sir Robert Pigot, bt.

BRIDGEWATER.
Charles John Kemeys Tynte,
Brent Spencer Follett.

BRIDPORT.
Thomas Alexander Mitchell,
John Patrick Murrough.

BRIGHTHELMSTONE.
Sir George Richard Pechell, bt.,
Hon. (Alfred Hervey) Lord A. Hervey.

BRISTOL.
Hon. Francis Henry Fitzhardinge Berkeley,
William Henry Gore Langton.

BUCKINGHAMSHIRE.
Caledon George Du Pré,
Rt. hon. Benjamin Disraeli,
Hon. Charles Compton Cavendish.

BUCKINGHAM.
Rt. hon. Richard Plantagenet Campbell (Chandos-Grenville) Marquess of Chandos,
John Hall.

BURY.
Frederick Peel.

BURY ST. EDMUND'S.
Rt. hon. Frederick William (Hervey) Earl Jermyn,
†*John Stuart.*

CALNE.
Hon. Henry Petty (Fitzmaurice) Earl of Shelburne.

CAMBRIDGESHIRE.
Hon. Eliot Thomas Yorke,
Hon. (George John Manners) Lord G. J. Manners,
Edward Ball.

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* Died before the Meeting of Parliament.

† Appointed a Vice Chancellor.

CAMBRIDGE (UNIVERSITY).
Rt. hon. Henry Goulburn,
Loftus Tottenham Wigram.

CAMBRIDGE.
Kenneth Macaulay,
John Harvey Astell.

CANTERBURY.
Henry Plumptre Gipps,
Hon. Henry Butler Johnstone.

CARDIFF.
Walter Coffin.

CARDIGANSHIRE.
William Edward Powell.

CARDIGAN.
Pryse Loveden.

CARLISLE.
Rt. hon. Sir James Robert George Graham, bt.,
Joseph Ferguson.

CARMARTHENSHIRE.
David Arthur Saunders Davies,
David Jones.

CARMARTHEN.
David Morris.

CARNARVONSHIRE.
Hon. Edward Gordon Douglas Pennant.

CARNARVON.
William Bulkeley Hughes.

CHATHAM.
Sir John Mark Frederick Smith, knt.

CHELTENHAM.
Hon. Craven Fitzhardinge Berkeley.

CHESHIRE.
(Northern Division.)
William Tatton Egerton,
George Cornwall Legh.

(Southern Division.)
Sir Philip de Malpas Grey Egerton, bt.,
John Tollemache.

CHESTER.
Hon. Hugh Lupus (Grosvenor) Earl Grosvenor,
Hon. William Owen Stanley.

CHICHESTER.
John Abel Smith,
Hon. (George Charles Henry Gordon Lennox) Lord G. C. H. G. Lennox.

CHIPPENHAM.
Joseph Neeld,
Henry George Boldero.

CHRISTCHURCH.
John Edward Walcott.

CIRENCESTER.
John Randolph Mullings,
Hon. Ashley George John Ponsonby.

CLITHEROE.
Matthew Wilson.

COCKERMOUTH.
Henry Wyndham,
Henry Aglionby Aglionby.

COLCHESTER.
William Warwick Hawkins,
Rt. hon. (John James Robert Manners) Lord J. J. R. Manners.

CORNWALL.
(Eastern Division.)
Thomas James Agar Robartes,
Nicholas Kendall.

(Western Division.)
Edward William Wynne Pendarves,
Sir Charles Lemon, bt.

COVENTRY.
Rt. hon. Edward Ellice,
Charles Geach.

CRICKLADE.
John Neeld,
Ambrose Lethbridge Goddard.

CUMBERLAND.
(Eastern Division.)
Hon. Charles Wentworth George Howard,
William Marshall.

(Western Division.)
Henry Lowther,
Samuel Irton.

DARTMOUTH.
Sir Thomas Herbert, K.C.B.

DENBIGHSHIRE.
Sir Watkin Williams Wynn, bt.,
Robert Myddelton Biddulph.

DENBIGH.
Frederick Richard West.

DERBYSHIRE.
(Northern Division.)
Hon. George Henry Cavendish,
William Evans.

(Southern Division.)
Charles Robert Colville,
William Mundy.

DERBY.
Michael Thomas Bass,
Thomas Berry Horsfall.

DEVIZES.
George Heneage Walker Heneage,
John Neilson Gladstone.

DEVONPORT.
Rt. hon. Henry Tufnell,
Sir George Frederick Berkeley, K.C.B.

DEVONSHIRE.
(Northern Division.)
Sir Thomas Dyke Acland, bt.,
Lewis William Buck.

(Southern Division.)
Sir John Buller Yarde Buller, bt.,
Sir Ralph Lopes, bt.

DORCHESTER.
Richard Brinsley Sheridan,
Henry Gerard Sturt.

DORSETSHIRE.
Rt. hon. George Bankes,
Henry Ker Seymer,
John Floyer.

DOVOR.
Hon. Henry Charles (Cadogan) Viscount Chelsea,
Edward Royd Rice.

DROITWICH.
Rt. hon. Sir John Somerset Pakington, bt.

DUDLEY.
John Benbow.

DURHAM.
(Northern Division.)
Robert Duncombe Shafto,
Hon. George Henry Robert Charles (Vane) Viscount Seaham.

(Southern Division.)
Hon. (Harry George Vane) Lord H. G. Vane,
James Farrer.

DURHAM (CITY).
* *Thomas Colpitts Granger,*
William Atherton.

ESSEX.
(Northern Division.)
Sir John Tyssen Tyrell, bt.,
Rt. hon. William Beresford.

(Southern Division.)
Thomas William Bramston,
Sir William Bowyer Smijth, bt.

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* Died before the Meeting of Parliament.

EVESHAM.
Sir Henry Pollard Willoughby, bt.,
Charles Lennox Grenville Berkeley.

EXETER.
Sir John Thomas Buller Duckworth, bt.,
Edward Divett.

EYE.
Edward Clarence Kerrison.

FINSBURY.
Thomas Challis,
Thomas Slingsby Duncombe.

FLINTSHIRE.
Hon. Edward Mostyn Lloyd Mostyn.

FLINT.
Sir John Hanmer, bt.

FROME.
Hon. Robert Edward Boyle.

GATESHEAD.
William Hutt.

GLAMORGANSHIRE.
Christopher Rice Mansel Talbot,
Sir George Tyler, knt.

GLOUCESTERSHIRE.
(Eastern Division.)
Christopher William Codrington,
Hon. Henry Charles Fitzroy (Somerset) Marquess of Worcester.

(Western Division.)
Robert Nigel Fitzhardinge Kingscote,
Robert Blagden Hale.

GLOUCESTER.
William Philip Price,
Hon. Maurice Frederick Fitzhardinge Berkeley.

GRANTHAM.
Glynne Earle Welby,
Hon. (Montagu William Graham) Lord M. W. Graham.

GREENWICH.
Peter Rolt,
Montagu Chambers.

GRIMSBY (GREAT).
Rt. hon. William Richard (Annesley) Earl of Annesley.

GUILDFORD.
Ross Donnelly Mangles,
James Bell.

HALIFAX.
Rt. hon. Sir Charles Wood, bt.,
Frank Crossley.

HAMPSHIRE.
(Northern Division.)
Rt. hon. Charles Shaw Lefevre,
Melville Portal.

(Southern Division.)
Henry Combe Compton,
Hon. (William Henry Hugh Cholmondeley) Lord W. H. H. Cholmondeley.

HARWICH.
George Montagu Warren Peacocke,
David Waddington.

HASTINGS.
Patrick Francis Robertson,
Musgrave Briscoe.

HAVERFORDWEST.
John Henry Philipps.

HELSTON.
Sir Richard Rawlinson Vyvyan, bt.

HEREFORDSHIRE.
James King King,
Thomas William Booker,
Charles Spencer Bateman Hanbury.

HEREFORD.
Sir Robert Price, bt.,
Henry Morgan Clifford.

HERTFORDSHIRE.
Thomas Plumer Halsey,
Sir Henry Meux, bt.,
Sir Edward George Earle Lytton Bulwer Lytton, bt.

HERTFORD.
Hon. William Francis Cowper,
Thomas Chambers.

HONITON.
Joseph Locke,
Sir James Weir Hogg, bt.

HORSHAM.
William Robert Seymour Vesey FitzGerald.

HUDDERSFIELD.
William Rookes Crompton Stansfield.

HUNTINGDONSHIRE.
Edward Fellowes,
Hon. William Drogo (Montagu) Viscount Mandeville.

HUNTINGDON.
Jonathan Peel,
Thomas Baring.

HYTHE.
Edward Drake Brockman.

IPSWICH.
John Chevallier Cobbold,
Hugh Edward Adair.

KENDAL.
George Carr Glyn.

KENT.
(Eastern Division.)
Sir Edward Cholmeley Dering, bt.,
William Deedes.

(Western Division.)
Sir Edmund Filmer, bt.,
William Masters Smith.

KIDDERMINSTER.
Robert Lowe.

KING'S LYNN.
Hon. Robert (Jocelyn) Viscount Jocelyn.
Hon. Edward Henry (Stanley) Lord Stanley.

KINGSTON-UPON-HULL.
James Clay,
Hon. George Frederick Samuel (Robinson) Viscount Goderich.

KNARESBOROUGH.
*Joshua Proctor Brown Westhead,
*John Dent Dent,
*Basil Thomas Woodd.

LAMBETH.
William Arthur Wilkinson,
William Williams.

LANCASHIRE.
(Northern Division.)
John Wilson Patten,
James Heywood.

(Southern Division.)
William Brown,
John Cheetham.

LANCASTER.
Samuel Gregson,
Robert Baynes Armstrong.

LAUNCESTON.
Hon. Josceline William Percy.

LEEDS.
Sir George Goodman, knt.,
Rt. hon. Matthew Talbot Baines.

LEICESTERSHIRE.
(Northern Division.)
Edward Basil Farnham,
Hon. Charles Cecil John (Manners) Marquess of Granby.

(Southern Division.)
Sir Henry Halford, bt.,
Charles William Packe.

* Three Members returned, but none can sit till after the Report of a Committee.

LEICESTER.
Sir Joshua Walmsley, knt.,
Richard Gardner.

LEOMINSTER.
George Arkwright,
John George Phillimore.

LEWES.
Hon. Henry FitzRoy,
Hon. Henry Brand.

LICHFIELD.
Hon. Thomas William (Anson) Viscount Anson,
Hon. (Alfred Henry Paget) Lord A. H. Paget.

LINCOLNSHIRE.
(Parts of Lindsey.)
Rt. hon. Robert Adam Christopher,
James Banks Stanhope.

(Parts of Kesteven and Holland.)
Hon. William Alleyne (Cecil) Lord Burghley,
Sir John Trollope, bt.

LINCOLN.
Charles De Laet Waldo Sibthorp,
George Fieschi Heneage.

LISKEARD.
Richard Budden Crowder.

LIVERPOOL.
Charles Turner,
William Forbes Mackenzie.

LONDON.
John Masterman,
Rt. hon. (John Russell) Lord J. Russell,
Sir James Duke, bt.,
Lionel Nathan (Baron) De Rothschild.

LUDLOW.
Robert Clive,
Hon. (William John Frederick Powlett) Lord W. J. F. Powlett.

LYME REGIS.
William Pinney.

LYMINGTON.
Sir John Rivett Carnac, bt.,
Edward John Hutchins.

MACCLESFIELD.
John Brocklehurst,
Edward Christopher Egerton.

MAIDSTONE.
James Whatman,
George Dodd.

MALDON.
Charles Du Cane,
Taverner John Miller.

MALMESBURY.
Thomas Luce.

MALTON.
Hon. Charles William Wentworth Fitzwilliam,
John Evelyn Denison.

MANCHESTER.
Rt. hon. Thomas Milner Gibson,
John Bright.

MARLBOROUGH.
Rt. hon. (Ernest Augustus Charles Brudenell Bruce) Lord E. A. C. B. Bruce,
Henry Bingham Baring.

MARLOW (GREAT).
Thomas Peers Williams,
Brownlow William Knox.

MARYLEBONE.
Hon. (Dudley Coutts Stuart) Lord D. C. Stuart,
Sir Benjamin Hall, bt.

MERIONETHSHIRE.
William Watkin Edward Wynne.

MERTHYR TYDVIL.
Sir Josiah John Guest, bt.

MIDDLESEX.
Rt. hon. (Robert Grosvenor) Lord R. Grosvenor,
Ralph Bernal Osborne.

MIDHURST.
Rt. hon. Spencer Horatio Walpole.

MONMOUTHSHIRE.
Charles Octavius Swinnerton Morgan,
Edward Arthur Somerset.

MONMOUTH.
Crawshay Bailey.

MONTGOMERYSHIRE.
Herbert Watkins Williams Wynn.

MONTGOMERY.
David Pugh.

MORPETH.
Hon. Edward George Granville Howard.

NEWARK-UPON-TRENT.
Granville Edward Harcourt Vernon,
John Henry Thomas Manners Sutton.

NEWCASTLE-UNDER-LYME
William Jackson,
Samuel Christy.

NEWCASTLE-UPON-TYNE.
John Fenwick Burgoyne Blackett,
Thomas Emerson Headlam.

NEWPORT.
William Biggs,
William Nathaniel Massey.

NORFOLK.
(Eastern Division.)
Henry Negus Burroughes,
Edmund Wodehouse.

(Western Division.)
William Bagge,
George William Pierrepont Bentinck.

NORTHALLERTON.
William Battie Wrightson.

NORTHAMPTONSHIRE.
(Northern Division.)
Stafford Augustus O'Brien Stafford,
Thomas Philip Maunsell.

(Southern Division.)
Richard Henry Richard Howard Vyse,
Rainald Knightley.

NORTHAMPTON.
Rt. hon. Robert Vernon Smith,
Raikes Currie.

NORTHUMBERLAND.
(Northern Division.)
Hon. Algernon George (Percy) Lord Lovaine,
Hon. Charles (Bennett) Lord Ossulston.

(Southern Division.)
Wentworth Blackett Beaumont,
Henry George Liddell.

NORWICH.
Samuel Morton Peto,
Edward Warner.

NOTTINGHAMSHIRE.
(Northern Division.)
Hon. (Henry William Cavendish Bentinck) Lord H. W. C. Bentinck,
Hon. (Robert Renebald Pelham-Clinton) Lord R. R. Clinton.

(Southern Division.)
William Hodgson Barrow,
Hon. Charles (Pierrepont) Viscount Newark.

NOTTINGHAM.
Rt. hon. Edward Strutt,
John Walter.

OLDHAM.
John Morgan Cobbett,
**John Duncuft.*

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* Died before the Meeting of Parliament.

OXFORDSHIRE.
Rt. hon. Joseph Warner Henley,
John Sidney North,
George Granville Vernon Harcourt.

OXFORD (CITY).
James Haughton Langston,
Sir William Page Wood, knt.

OXFORD (UNIVERSITY).
Sir Robert Harry Inglis, bt.,
Rt. Hon. William Ewart Gladstone.

PEMBROKESHIRE.
Hon. John Frederick Vaughan (Campbell) Viscount Emlyn.

PEMBROKE.
Sir John Owen, bt.

PENRYN AND FALMOUTH.
Howel Gwyn,
James William Freshfield.

PETERBOROUGH.
Hon. George Wentworth Fitzwilliam,
**Hon. Richard Watson.*

PETERSFIELD.
Sir William George Hylton Jolliffe, bt.

PLYMOUTH.
Charles John Mare,
Robert Porrett Collier.

PONTEFRACT.
Richard Monckton Milnes,
Benjamin Oliveira.

POOLE.
Henry Danby Seymour,
George Woodroffe Franklyn.

PORTSMOUTH.
Rt. hon. Sir Francis Thornhill Baring, bt.,
Rt. hon. Charles Stanley (Monck) Viscount Monck.

PRESTON.
Robert Townley Parker,
Sir George Strickland, bt.

RADNORSHIRE.
Sir John Benn Walsh, bt.

RADNOR (NEW).
Rt. Hon. Sir Thomas Frankland Lewis, bt.

READING.
Francis Pigott,
Henry Singer Keating.

REIGATE.
Hon. Thomas Somers Cocks.

RETFORD (EAST).
Hon. William Ernest Duncombe,
Rt. Hon. George Edward Arundell (Monckton-Arundell) Viscount Galway.

RICHMOND.
Henry Rich,
Marmaduke Wyvill.

RIPON.
William Beckett,
Hon. Edwin Lascelles.

ROCHDALE.
Edward Miall.

ROCHESTER.
Hon. Francis John Robert Villiers,
Sir Thomas Herbert Maddock, knt.

RUTLANDSHIRE.
Sir Gilbert John Heathcote, bt.,
Hon. Gerard James Noel.

RYE.
William Alexander Mackinnon.

ST. IVES.
Robert Laffan.

SALFORD.
Joseph Brotherton.

SALISBURY.
William James Chaplin,
Charles Baring Wall.

SALOP, OR SHROPSHIRE.
(*Northern Division.*)
William Ormsby Gore,
John Whitehall Dod.

(*Southern Division.*)
Hon. Robert Henry Clive,
Hon. Orlando George Chas. (Bridgeman) Viscount Newport.

SANDWICH.
Hon. Charles Pelham (Pelham-Clinton) Lord C. P. Clinton,
James MacGregor.

SCARBOROUGH.
Sir John Vanden Bempde Johnstone, bt.,
Rt. hon. George Augustus Constantine (Phipps) Earl of Mulgrave.

SHAFTESBURY.
Hon. William Henry Berkeley Portman.

SHEFFIELD.
John Arthur Roebuck,
George Hadfield.

SHIELDS (SOUTH).
Robert Ingham.

SHOREHAM (NEW).
Sir Charles Merrik Burrell, bt.,
Hon. (Alexander Francis Charles Gordon Lennox) Lord A. F. C. G. Lennox.

SHREWSBURY.
George Tomline,
Edward Holmes Baldock.

SOMERSETSHIRE.
(*Eastern Division.*)
William Miles,
William Francis Knatchbull.

(*Western Division.*)
Charles Aaron Moody,
William Henry Powell Gore Langton.

SOUTHAMPTON.
Brodie M'Ghie Willcox,
Sir Alexander James Edmund Cockburn, knt.

SOUTHWARK.
Sir William Molesworth, bt.,
Apsley Pellatt.

STAFFORDSHIRE.
(*Northern Division.*)
Charles Bowyer Adderley,
Smith Child.

(*Southern Division.*)
Hon. George Anson,
Hon. William Walter (Legge) Viscount Lewisham.

STAFFORD.
John Ayshford Wise,
Arthur John Otway.

STAMFORD.
Rt. hon. John Charles Herries,
Sir Frederic Thesiger, knt.

STOCKPORT.
James Kershaw,
John Benjamin Smith.

STOKE-UPON-TRENT.
John Lewis Ricardo,
Hon. Edward Frederic Leveson-Gower.

* Died before the Meeting of Parliament.

STROUD.
George Poulett Scrope,
Hon. Henry John (Moreton) Lord Moreton.

SUFFOLK.
(*Eastern Division.*)
Sir FitzRoy Kelly,
Sir Edward Sherlock Gooch, bt.

(*Western Division.*)
Harry Spencer Waddington,
Philip Bennet.

SUNDERLAND.
George Hudson,
William Digby Seymour.

SURREY.
(*Eastern Division.*)
Thomas Alcock,
Hon. Peter John Locke King.

(*Western Division.*)
William John Evelyn,
Henry Drummond.

SUSSEX.
(*Eastern Division.*)
Augustus Eliott Fuller,
Charles Hay Frewen.

(*Western Division.*)
Hon. Charles Henry (Gordon Lennox) Earl of March,
Richard Prime.

SWANSEA.
John Henry Vivian.

TAMWORTH.
Sir Robert Peel, bt.,
John Townshend.

TAUNTON.
Rt. hon. Henry Labouchere,
Arthur Mills.

TAVISTOCK.
Hon. George Henry Charles Byng,
Samuel Carter.

TEWKESBURY.
Humphrey Brown,
John Martin.

THETFORD.
Hon. William Henry (Fitzroy) Earl of Euston,
Hon. Francis Baring.

THIRSK.
Sir William Payne Gallwey, bt.

TIVERTON.
John Heathcoat,
Rt. hon. Henry John (Temple) Viscount Palmerston.

TOTNESS.
Rt. hon. Edward Adolphus (Seymour) Lord Seymour,
Thomas Mills.

TOWER HAMLETS.
Sir William Clay, bt.,
Charles Salisbury Butler.

TRURO.
Henry Hussey Vivian,
John Ennis Vivian.

TYNEMOUTH.
Hugh Taylor.

WAKEFIELD.
George Sandars.

WALLINGFORD.
Richard Malins.

WALSALL.
Charles Forster.

WAREHAM.
John Samuel Wanley Sawbridge Erle Drax.

WARRINGTON.
Gilbert Greenall.

WARWICKSHIRE.
(*Northern Division.*)
Charles Newdigate Newdegate,
Richard Spooner.

(*Southern Division.*)
Hon. George Guy (Greville) Lord Brooke,
Hon. Heneage (Finch) Lord Guernsey.

WARWICK.
George William John Repton,
Edward Greaves.

WELLS.
Robert Charles Tudway,
Rt. hon. William Goodenough Hayter.

WENLOCK.
Rt. hon. George Cecil Weld Forester,
James Milnes Gaskell.

WESTBURY.
James Wilson.

WESTMINSTER.
Sir John Villiers Shelley, bt.,
Sir De Lacy Evans, K.C.B.

WESTMORELAND.
Hon. Henry Cecil Lowther,
William Thompson.

WEYMOUTH AND MELCOMBE REGIS.
William Lockyer Freestun,
George Medd Butt.

WHITBY.
Robert Stephenson.

WHITEHAVEN.
Robert Charles Hildyard.

WIGAN.
Ralph Anthony Thicknesse,
Hon. James Lindsay.

WIGHT (ISLE OF).
Francis Vernon Harcourt.

WILTON.
Charles Henry Wyndham à Court.

WILTSHIRE.
(*Northern Division.*)
Walter Long,
Thomas Henry Sutton Sotheron.

(*Southern Division.*)
Rt. hon. Sidney Herbert,
William Wyndham.

WINCHESTER.
John Bonham Carter,
Sir James Buller East, bt.

WINDSOR.
Hon. (Charles Wellesley) Lord C. Wellesley,
Charles William Grenfell.

WOLVERHAMPTON.
Hon. Charles Pelham Villiers,
Thomas Thornely.

WOODSTOCK.
Hon. John Winston (Spencer Churchill) Marquess of Blandford.

WORCESTERSHIRE.
(*Eastern Division.*)
George Rushout,
John Hodgetts Hodgetts Foley.

(*Western Division.*)
Hon. Henry Beauchamp Lygon,
Frederick Winn Knight.

WORCESTER.
William Laslett,
Osman Ricardo.

WYCOMBE (CHIPPING).
Sir George Henry Dashwood, bt.,
Martin Tucker Smith.

YARMOUTH (GREAT).
Sir Edmund Henry Knowles Lacon, bt.,
Charles Edmund Rumbold.

YORKSHIRE.
(*North Riding.*)
Edward Stillingfleet Cayley,
Hon. Octavius Duncombe.

YORKSHIRE—*continued.*

(*East Riding.*)

Rt. hon. Beaumont (Hotham) Lord Hotham,
Hon. Arthur Duncombe.

(*West Riding.*)

Richard Cobden,
Edmund Beckett Denison.

YORK.

John George Smyth,
William Mordaunt Edward Milner.

SCOTLAND.

ABERDEENSHIRE.

Hon. William Gordon.

ABERDEEN.

George Thompson.

ARGYLLSHIRE.

Sir Archibald Islay Campbell, bt.

AYRSHIRE.

James Hunter Blair.

AYR, &c.

Edward Henry John Craufurd.

BANFFSHIRE.

James Duff.

BERWICKSHIRE.

Hon. Francis Scott.

BUTESHIRE.

Rt. hon. James Archibald Stuart Wortley.

CAITHNESS-SHIRE.

George Traill.

CLACKMANNAN AND KINROSS SHIRES.

James Johnstone.

CUPAR, &c.

Edward Ellice.

DUMBARTONSHIRE.

Alexander Smollett.

DUMFRIES-SHIRE.

Hon. Archibald William (Douglas) Viscount Drumlanrig.

DUMFRIES, &c.

William Ewart.

DUNDEE.

George Duncan.

DYSART, &c.

Robert Ferguson.

EDINBURGHSHIRE.

Sir John Hope, bt.

EDINBURGH.

Rt. hon. Thomas Babington Macaulay,
Charles Cowan.

ELGINSHIRE AND NAIRNE.

Charles Lennox Cumming Bruce.

ELGIN, &c.

George Skene Duff.

FALKIRK, &c.

James Baird.

FIFESHIRE.

John Fergus.

FORFARSHIRE.

Hon. Lauderdale Maule.

GLASGOW.

Alexander Hastie,
John MacGregor.

GREENOCK.

Alexander Murray Dunlop.

HADDINGTONSHIRE.

Hon. Francis Wemyss Charteris.

HADDINGTON, &c.

Sir Henry Robert Ferguson Davie, bt.

INVERNESS-SHIRE.

Henry James Baillie.

INVERNESS, &c.

Alexander Matheson.

KINCARDINESHIRE.

Hon. Hugh Arbuthnott.

KIRKCUDBRIGHT.

John Mackie.

KIRKWALL, WICK, &c.

Samuel Laing.

LANARKSHIRE.

William Lockhart.

LEITH, &c.

Rt. hon. James Moncreiff.

LINLITHGOWSHIRE.

George Dundas.

MONTROSE, &c.

Joseph Hume.

ORKNEY AND SHETLAND.

Frederick Dundas.

PAISLEY.

Archibald Hastie.

PEEBLES-SHIRE.

Sir Graham Graham Montgomery, bt.

PERTHSHIRE.

William Stirling.

PERTH.

Hon. Arthur FitzGerald Kinnaird.

RENFREWSHIRE.

William Mure.

RENFREW, &c.

Hon. Edward Pleydell Bouverie.

ROSS AND CROMARTY SHIRES.

Sir James Matheson, bt.

ROXBURGHSHIRE.

Hon. John Edmund Elliot.

SELKIRKSHIRE.

Allan Eliot Lockhart.

STIRLINGSHIRE.

William Forbes.

STIRLING, &c.

Sir James Anderson, knt.

SUTHERLANDSHIRE.

Hon. George Granville William (Leveson - Gower) Marquess of Stafford.

WIGTONSHIRE.

John Dalrymple.

WIGTON, &c.

Sir John MacTaggart, bt.

IRELAND.

ANTRIM.

Edward William Pakenham,
George Macartney.

ARMAGH.

Sir William Verner, bt.,
James Molyneux Caulfield.

ARMAGH (CITY).

Ross Stephenson Moore.

ATHLONE.

William Keogh.

BANDON BRIDGE.

Hon. Francis (Bernard) Viscount Bernard.

BELFAST.

Richard Davison,
Hugh MacCalmont Cairns.

CARLOW.

John Ball,
Henry Bruen.

CARLOW (BOROUGH).

John Sadleir.

CARRICKFERGUS.

Hon. Wellington Henry Stapleton Cotton.

CASHEL.

Sir Timothy O'Brien, bt.

CAVAN.

Hon. James Pierce Maxwell,
Sir John Young, bt.

CLARE.

Sir John Forster FitzGerald, K.C.B.,
Cornelius O'Brien.

CLONMEL.
Hon. Cecil John Lawless.

COLERAINE.
Rt. hon. Richard Southwell (Bourke) Lord Naas.

CORK COUNTY.
Edmund Burke Roche,
Vincent Scully.

CORK (CITY).
Francis Stack Murphy,
William Trant Fagan.

DONEGAL.
Thomas Conolly,
Sir Edmund Samuel Hayes, bt.

DOWNSHIRE.
Hon. (Arthur Edwin Hill) Lord A. E. Hill,
David Stewart Kerr.

DOWNPATRICK.
Hon. Charles Stewart Hardinge.

DROGHEDA.
James McCann.

DUBLIN.
James Hans Hamilton,
Thomas Edward Taylor.

DUBLIN (CITY).
Edward Grogan,
John Vance.

DUBLIN (UNIVERSITY).
George Alexander Hamilton,
Rt. hon. Joseph Napier.

DUNDALK.
George Bowyer.

DUNGANNON.
Hon. William Stuart Knox.

DUNGARVAN.
John Francis Maguire.

ENNIS.
John David FitzGerald.

ENNISKILLEN.
James Whiteside.

FERMANAGH.
Mervyn Edward Archdall,
Sir Arthur Brinsley Brooke, bt.

GALWAY.
Sir Thomas John Burke, bt.,
Thomas Bellew.

GALWAY (BOROUGH).
Anthony O'Flaherty,
Martin Joseph Blake.

KERRY.
Henry Arthur Herbert,
Valentine Augustus Browne.

KILDARE.
William Henry Ford Cogan,
David O'Connor Henchy.

KILKENNY.
William Shee,
John Greene.

KILKENNY (BOROUGH).
Michael Sullivan.

KING'S COUNTY.
Patrick O'Brien,
Loftus Henry Bland.

KINSALE.
John Isaac Heard.

LEITRIM.
Hugh Lyons Montgomery,
John Brady.

LIMERICK.
William Monsell,
Wyndham Goold.

LIMERICK (CITY).
Robert Potter,
Francis William Russell.

LISBURN.
Sir James Emerson Tennent, knt.

LONDONDERRY.
Thomas Bateson,
Theobald Jones.

LONDONDERRY (CITY).
Sir Robert Alexander Ferguson, bt.

LONGFORD.
Richard Maxwell Fox,
Fulke Southwell Greville.

LOUTH.
Chichester Samuel Fortescue,
Tristram Kennedy.

MALLOW.
Sir Charles Denham Orlando Jephson Norreys, bt.

MAYO.
George Henry Moore,
George Gore Ouseley Higgins.

MEATH.
Frederick Lucas,
Matthew Elias Corbally.

MONAGHAN.
Charles Powell Leslie,
Sir George Forster, bt.

NEWRY.
William Kirk.

PORTARLINGTON.
Francis Plunket Dunne.

QUEEN'S COUNTY.
Michael Dunne,
Sir Charles Henry Coote, bt.

ROSCOMMON.
Fitzstephen French,
Oliver Dowell John Grace.

ROSS (NEW).
Charles Gavan Duffy.

SLIGO.
Sir Robert Gore Booth, bt.,
Richard Swift.

SLIGO (BOROUGH).
Charles Towneley.

TIPPERARY.
Francis Scully,
James Sadleir.

TRALEE.
Maurice O'Connell.

TYRONE.
Rt. hon. Henry Thomas Lowry Corry,
Rt. hon. (Claud Hamilton) Lord C. Hamilton.

WATERFORD.
Nicholas Mahon Power,
John Esmonde.

WATERFORD (CITY).
Thomas Meagher,
Robert Keating.

WESTMEATH.
William Henry Magan,
William Pollard Urquhart.

WEXFORD.
Patrick McMahon,
John George.

WEXFORD (BOROUGH).
John Thomas Devereux.

WICKLOW.
Hon. William Thomas Spencer (Wentworth Fitzwilliam) Viscount Milton,
William Wentworth Fitzwilliam Hume.

YOUGHALL.
Isaac Butt.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

FIRST SESSION OF THE *SIXTEENTH PARLIAMENT* OF
THE UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*,
APPOINTED TO MEET 20 AUGUST, 1852, AND FROM THENCE
CONTINUED TILL 4 NOVEMBER, 1852, IN THE SIXTEENTH YEAR
OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Thursday, November 4, 1852.

THE PARLIAMENT.

THE Fifteenth Parliament of the United Kingdom was dissolved by Proclamation on the 1st July; and, at the same time, writs were ordered to be issued for calling a new Parliament, which writs were made returnable on Friday the 20th August. The Parliament so called was prorogued to the 21st October; and thence to the 4th November; and accordingly met this day for despatch of business.

The Parliament was opened by Commission:—the Lords Commissioners being the Lord Chancellor, the Lord President of the Council (the Earl of Lonsdale), the Lord Privy Seal (the Marquess of Salisbury), the Lord Steward of the Household (the Duke of Montrose), and the Duke of Northumberland, First Lord of the Admiralty.

The Lords Commissioners being seated in front of the Throne, and the Commons (who were sent for) being at the Bar,

The LORD CHANCELLOR said: My Lords and Gentlemen, we have it in command from Her Majesty to let you know that you shall hereafter be informed of the cause of calling this Parliament together; but, it being necessary that a Speaker for the House of Commons should first be chosen, you, Gentlemen of the House of Commons, will for that purpose return to the place prepared for your meeting, and there be pleased to choose a Speaker, and present such person whom you shall so choose here To-morrow at two o'clock for Her Majesty's Royal approbation.

The Commons then withdrew.

The Lord Chancellor—Singly, in the first place, took the Oaths at the Table.

Certificate of the Sixteen Peers for Scotland—Read.

Several Lords—Took the Oaths.

The Viscount Falmouth—Sat first in Parliament after the Death of his Cousin Viscount Falmouth (Earl of Falmouth).

The Lord Congleton—Sat first in Parliament after the Death of his Father.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Thursday, November 4, 1852.

CHOICE OF A SPEAKER.

This being the day appointed for the new Parliament to meet for despatch of business, a large number of the Members returned to serve for the Counties, Cities, and Boroughs of the United Kingdom, assembled in the house of the Commons, and the Clerk of the House, Sir Denis Le Marchant, took his seat in front of the table.

Presently the Gentleman Usher of the Black Rod brought a message from the Lords Commissioners appointed to open the Parliament, desiring the immediate attendance of the House to hear Her Majesty's Commission read.

The House went;—and a Commission having been read for opening and holding the Parliament, the Lords Commissioners directed the House to proceed to the Election of a Speaker, and to present him To-morrow at two o'clock in the House of Peers, for the Royal Approbation.

And the House being returned, the Clerk of the House, standing up, pointed to

Mr. ROBERT PALMER, who rose, and, addressing the Clerk of the House, said: Sir, it now devolves upon this House, in obedience to Her Majesty's commands, to perform its first and one of its most important duties, namely, to select from among our own body some hon. Member who shall fill, during the present Parliament, the office of Speaker of the House—an office at all times onerous, and attended with much responsibility, and not the less so on the present occasion, when so many hon. Members are returned for the first time to Parliament, who must necessarily, for that reason, be but partially acquainted with the rules and proceedings of the House. If upon the present occasion it had been my duty to propose to the consideration of the House any untried Member—any hon. Gentleman who, for the first time, might be called upon to discharge the important duties of the chair of this House—although I am well aware that there are many hon. Members present who would fully justify any choice which the House might think proper to make—still for myself, individually, I should have hesitated before undertaking the task of proposing any hon. Gentleman so circumstanced; because I am sure that a considerable degree of personal responsibility attaches to any individual who rises to propose any hon. Member for so high and important an office, on whose ability and efficiency to discharge these duties, so much of the regularity of our proceedings must necessarily depend; for such a task, I am well aware that there are many other hon. Members in the House on whose judgment the House would have much more reason to rely, and it would have been presumptuous in me to put myself into such a position. But on the present occasion, fortunately, I am relieved from any difficulty in this respect; because I rejoice to see among us again, my right hon. Friend the Member for North Hampshire, who has filled the chair of this House during the last thirteen years with so much advantage to the country and so much honour to himself, that the House is left in no doubt, and is relieved from all difficulty, in selecting the hon. Member best qualified among us all to fill that high and distinguished station. Sir, under these circumstances I do not think it is necessary that I should trespass upon the attention of the House by dilating upon the onerous duties that attach to the office of Speaker of this House. They are sufficiently well known to most of the hon. Members who sit in this House. Suffice it, therefore, to say, that in the choice of Speaker we must look to some individual whose intimate acquaintance with the law and practice of Parliament will render him at all times their ready exponent, and will enable him to define and lay down the rules and orders by which our proceedings are regulated, so as to enable us on all occasions immediately and confidently to rely upon his decisions. We must also look for a person who will be ready to uphold and defend the ancient rights and privileges of the House of Commons, if at any time they should become objects of attack from any quarter—privileges, it is well known, which were not granted to this House for individual benefit or for selfish objects, but for the benefit of the community which we are sent here to represent. We must also look for a Gentleman, who, in the heat of the party contests that sometimes occur in our debates, is able to lay aside all party feeling, and who will, while presiding over us, maintain a strict and undeviating impartiality. For all these qualifications which I have enumerated, I am sure that every one who has witnessed the conduct of my right hon. Friend in the chair will agree with me in saying that he has proved himself to be most eminently distinguished. Therefore I think I may add, that in upholding the dignity of the office, in preserving an equal and unruffled equanimity of temper under all circumstances, in courteous demeanour to every Member of the House, my right hon. Friend has not been exceeded by any of his predecessors. I think I have said sufficient to induce all those hon. Members who have before had seats in this House to agree with me in the Motion I am about to make. But if I may be permitted to add one word to the large number of Gentlemen, who, for the first time, have been sent here to take part in our deliberations, I am sure that they will not find themselves deceived when I assure them that in the transaction of that portion of the private business of the House that may devolve upon them, they will always find my right hon. Friend ready to assist them with his advice and experience in any difficulties that may arise in the transaction of the various duties with which they may be entrusted. I am rejoiced to think that on the present occasion it has not been considered necessary to make the question of the choice of a Speaker the test of party feeling or political strength. Such circumstances have before occurred; but I myself feel extremely gratified that I am not restrained by any party considerations, or called upon to surrender those feelings of private friendship and personal regard which I entertain for my right hon. Friend. I am sure that all those who have witnessed his conduct in the chair will agree with me when I say, that the uniform urbanity of my right hon. Friend in his high station has more than proved the wisdom of the choice which this House made in 1839, confirmed as it has been on two subsequent occasions by the unanimous approval of the House. I trust the House on the present occasion is about to exhibit an equal degree of unanimity, and to place my right hon. Friend in the chair without a dissentient voice. In so doing we shall be offering to my right hon. Friend the only reward we have it in our power to bestow for the eminent services he has already rendered to the House—services which I am sure he will continue to render with equal zeal and equal ability in the event of his being again chosen by the House, and, if possible, with increased efficiency from his longer and more matured experience. After the long and eminent services of my right hon. Friend, I shall best consult the feelings of the House if I move, without further preface, "That the Right Hon. Charles Shaw Lefevre, do take the chair of this House as Speaker."

Lord ROBERT GROSVENOR: I must claim the kind indulgence of the House for a few minutes while I second the Motion of my hon. Friend the Member for Berkshire. I have done so in accordance with the wishes of the right hon. Gentleman opposite, who considers that my right hon. Friend the Member for North Hampshire having formerly belonged to the party sitting on this side of the House, it would be more agreeable to him, and more expressive of that unanimity of opinion that should prevail in the election of the highest officer in this House, that his nomination should be seconded by a Member of Her Majesty's Opposition. I entirely concur in the propriety of that sentiment. All I regret is, that the right hon. Gentleman did not make application to some hon. Member more calculated than I am to give weight and authority to the recommendation, and who might more fairly stand up on this side of the House as the unofficial organ of that party to whom I have the honour to belong. I say the unofficial organ, because, as is perhaps well known, it is not usual for any Member holding high office, or who has held high office, to propose a candidate for the chair of this House. Be this, however, as it may, it gives me the sincerest satisfaction to have this public opportunity of bearing my testimony to the manner in which my right hon. Friend Mr. Shaw Lefevre has performed the duties of his arduous position. I am quite sure that I give utterance not only to my own sentiments, but also to those of every hon. Gentleman from amongst whom I rose to second this Motion, when I say that not only are we proud of the right hon. Gentleman as having sprung from the ranks of our party, but also, entirely laying aside all party feeling whatever, we are more proud of him as a Member of that Legislature to which we all in common belong. The merits of Mr. Shaw Lefevre as Speaker of the House are so well known not only to those who have had the advantage under his auspices of taking part in the business of the House, but also to the public at large, that it would be a work of supererogation almost either in this House or elsewhere to dilate at any length upon them; and certainly upon this occasion it would be extremely so, after the good taste, good feeling, and ability with which the hon. Member who preceded me has referred to them. But before I sit down, I should like to make one remark which I hope the House will not consider as foreign to the subject now under discussion. It is said to be one of the infirmities of human nature to give an undue prominence, an undeserved importance, to the events passing around us; but if I have any due appreciation of the circumstances of the time in which we are now living, there has rarely been in the history of the world a more remarkable crisis than that at which the Imperial Legislature has been now summoned for the transaction of business. When the liberties of Europe—when the right of full, free, and open discussion—I might almost say the right of public opinion—hang by a thread—at a moment of this sort I am sure it will be acknowledged that the character of this House is deeply involved in the manner in which its proceedings shall be carried on. I think at this moment it becomes us to act with unusual prudence, calmness, and circumspection. I think we should take the utmost pains that the liberty of free thought and free discussion, which we have happily enjoyed for so long a period, should not be abused for any personal party or factious purposes, but that we should guard it as a sacred trust committed to our care—I think I may say without any exaggeration—for the benefit of mankind at large. If, then, this be the position in which we now stand—and that it is such not in my opinion only, I believe I may gather, from the assent with which my remarks have been received by the House,—surely it is a matter of great rejoicing that we can avail ourselves of the services of a man whose nice tact, discriminating judgment, conciliatory demeanour, large and varied experience, and indefatigable attention, so eminently qualify him to be the moderator of our discussions and the president of our debates; at a moment, too, when apart from those disturbing causes to which I have adverted, the nicely-balanced state of parties would render the office of Speaker one of great delicacy and unusual difficulty. I will not now trespass further on the attention of the House, and shall, therefore, conclude by seconding the Resolution of my hon. Friend the Member for Berkshire, which I understand to be, that in the opinion of this assembly, the most fit and proper person to fill the chair of this House is the right hon. Gentleman the Member for North Hampshire—a man who, while for so many years upholding the independence, the honour, and the dignity of this branch of the Legislature, has been enabled so to conduct himself as to conciliate the good will, the respect, and the esteem of every Member of every class and every party amongst us.

Sir ROBERT H. INGLIS: The ordinary term used in addressing the individual honoured by the choice of the House is to congratulate him. My feeling, Sir, in rising is not merely to congratulate him, but far more the House by whom he is chosen. In your presence, Sir, and in the presence of so many hon. Members of large experience in this House, it is needless to add a single word as to the personal fitness of the right hon. Gentleman; but it is not unfit and not unnecessary perhaps to recall to the recollection of some, and to take the liberty of stating to others, the very different amount of time and labour which is now required of the Speaker of this House. That time and labour have been bestowed most cheerfully and actively, and most beneficially for the public service, by the right hon. Gentleman to whom again those duties are about to be committed. Why, Sir, a hundred years ago the Speaker had not, perhaps, the tenth part of the labours which now devolve upon the occupant of that chair. A hundred years ago but three debates appear in the Parliamentary history of one Session, and but fifteen divisions are recorded in the journals. In the last year we had 242 divisions; and the Speaker, whom I trust again to have the honour of addressing in that capacity, has sat not less than 13,000 hours in the discharge of his duties as Speaker, since first he was elected, in 1839, to that high post of dignity and duty. When I contrast the labour of former Speakers—when I hear of only one Speaker filling the chair during the whole reign of George I., and one other during the whole reign of George II., I must say that the right hon. Gentleman has compressed into the period of his services more labour, more attention, and more successful energy than any one of his predecessors had ever done. Therefore, knowing what he has been, rejoicing that he is still entrusted with such health and energy as will enable him to continue to us his valuable services with the same success, I should not have taken the liberty of adding a single word; but as one hon. Gentleman from the Ministerial side of the House has proposed, and another from the Opposition benches has seconded, the nomination of the right hon. Gentleman, I thought it not unbecoming in me, as an old Member of the House, to endeavour to express, not merely my own opinions, but the feelings of a large majority—and I hope I may say of every Member—in the proposition now before us: for those who have had experience will at once support the right hon. Gentleman, and those who have not had such experience will give their confidence to those who have already enjoyed the benefits of it. Cordially concurring in all that has been said on both sides of the House, I sincerely rejoice that he has been again selected for this position.

MR. CHARLES SHAW LEFEVRE then rose and said: Perhaps, before the Question is put, the House will allow me to make an observation. I trust it is unnecessary for me to assure the hon. Member for Berkshire, and the noble Lord the Member for Middlesex, that I highly value that friendship and regard which alone could have suggested those complimentary terms in which they have done me the honour to introduce my name to the notice of the House. I hope it is equally unnecessary for me to assure the House that I have not only listened to the speeches of my hon. Friends, but I have witnessed the flattering reception which the House has been pleased to give to those speeches, with feelings of unfeigned gratitude. The experience of more than thirteen years has confirmed the opinions I held when first I had the honour of a seat in Parliament, of the value and importance of those privileges which are enjoyed by the House, as the hon. Member for Berkshire has well observed, for the benefit of the community at large; as well as of the sound practical wisdom by which the forms and orders have been framed for the regulation of your proceedings, and the due and proper consideration and despatch of the public business. But that experience has also taught me what an enormous amount of responsibility rests upon that individual to whom the guardianship of those privileges and the enforcement of those forms and orders are entrusted. My hon. Friend the Member for the University of Oxford, who from his long standing, and the respect the House entertains for him, is so well entitled to pronounce an opinion on a subject of this nature, has stated to you the anxious and laborious nature of those duties which are now attached to the office of Speaker of the House of Commons. They are such as, even after the experience to which I have referred, I should almost hesitate to undertake again, were it not that I feel what is due from me to the House for the undeviating kindness I have received from it during the period of my services in the chair; and, above all, that I entertain a strong conviction that an earnest determination on my part faithfully and impartially to discharge the duties imposed upon me, will not only meet with the indulgence but the cordial support and co-operation of the House. With these few observations I bow to the decision of the House, whatever that may be.

Question put.

Motion carried *nemine contradicente.*

Mr. ROBERT PALMER and Lord ROBERT GROSVENOR then conducted the right hon. Gentleman to the chair.

MR. SPEAKER elect, standing on the upper step, said: As it has been the pleasure of the House again to place me in this chair, I trust it will permit me to express the sincere obligations I feel for this additional proof of its confidence and esteem. This renewed mark of its kindness will, if possible, redouble my anxiety to devote every energy of my mind to its service.

The CHANCELLOR OF THE EXCHEQUER: Sir, it now becomes my gracious duty to congratulate you on having again received to-day the highest honour which English Gentlemen can confer on one possessing their confidence and esteem. Those who have preceded me have intimated the eminent qualities necessary to be possessed by him who should fill the chair of this House. It is not requisite for me to dwell upon that part of the subject, since during the four Parliaments in which you have filled this high office, all have acknowledged the courage with which you vindicated our privileges—the firmness with which you maintained order in our debates, and the spirit of impartiality which ever guided your judgments. But I may, without presumption, having had the honour of a seat in this House when you were first elected to that chair, and having been a Member of the House during the interval that has since elapsed—I may perhaps notice one trait in your conduct which I have frequently observed, and which, I think, entitles you to the increased confidence of the House; it is this—that in those conjunctures which occasionally occur, when mere routine cannot guide the individual filling the chair—when you have been, as it were, taxed at the moment—your resources have never failed you, and you have always been sustained by the knowledge and self-respect necessary at such a crisis. There is another reason why your re-election should be a subject of congratulation to the House and to the country. I cannot but remember that not only is this a new Parliament, but that the individual who from his position has the principal control over the business of the House, has hardly that experience which is necessary for the post he occupies; and although I feel confident that, whenever the order and honour of this House are concerned, so long as I sit here I shall never appeal in vain to any Gentleman, on whichever side he may sit, I cannot but feel, under these circumstances, that the selection we have made this day is one upon which the House is much to be congratulated, our choice falling as it does upon an individual who not only possesses the confidence of this House, but on one who has repeatedly received the approbation of our most gracious Sovereign.

Lord JOHN RUSSELL: May I be allowed to add one word to what has been said by the right hon. Gentleman? I feel that it is a matter of the greatest importance, and one of the greatest good fortune, that at this particular period, when there are so many Members of the House without experience in its debates, that we should have to preside over these debates a Gentleman who has already shown his qualification for the eminent post of Speaker, and who, whenever it has been necessary to enforce the orders and rules of the House, has done it with such judgment and firmness, and at the same time with such courtesy, as almost to obtain the willing obedience even of those who seemed most inclined to question his decisions. I shall only add further, that the right hon. Gentleman (the Chancellor of the Exchequer), having alluded to his short experience in the conduct of the business of the House, I feel persuaded, on the part of hon. Members around me—and I can give him the assurance of my own part—that any assistance in carrying on the public business which this House or the Chair can render the right hon. Gentleman, will be freely accorded; because we all feel that it is of the utmost importance that we should continue to give that example, which hitherto this House has for more than two centuries given, of being a deliberative assembly which can carry on its discussions with the utmost freedom, and, at the same time, with the utmost regard for propriety and decorum.

Mr. HUME should have been disposed to concur in silence with the proceedings; but he had been asked to prefer a request on behalf of Members of that House. It was very desirable that the Speaker should have better opportunities than he had enjoyed during the last three Parliaments of becoming acquainted with hon. Members of the House; and therefore he was anxious to see the former practice revived, and that the Members would have more frequently the opportunity of paying their respects to the Speaker. He looked upon the Speaker as the first commoner in the land, and he had obtained from the right hon. Gentleman's predecessor the concession which he now sought with regard to the Speaker's levees. Many Members were anxious to pay their respects, who were now precluded by a practice which he believed was not in accordance with the original constitution of these assemblages. When he (Mr. Hume) attended Her Majesty with an Address, he was allowed to be present in his ordinary dress; but of late years he was unable to pay his respects to the Speaker of the House of Commons in his common dress. Mr. Abercromby, when Speaker, had yielded to the applications that were made to him; and he now made that application on the part of a number of Members who were very anxious to pay him their respects—as to dining with the right hon. Gentleman, that was not the question which troubled him. He could assure the right hon. Gentleman they would not trouble him much; but it was with regard to the levees, where he did not like to see a House of 650 Members confined to some 50 or 100 persons. He wished that the major part of those who belonged to the House should be ready and able to pay their respects to the right hon. Gentleman. He was one of those who had highly approved of the conduct of the right hon. Gentleman as their Speaker; and he must be aware that no man was more anxious to support the rules and regulations and orders of the House than he had been. He had given all the humble assistance in his power to their maintenance, as the best means of preserving their character as a deliberative assembly. He was not anxious to detract anything from the power or dignity of the Speaker, but he was anxious to see these levees attended by Members who were desirous of doing honour to him, while it would give great satisfaction to them. The alteration he suggested would give great satisfaction. It rested with the Speaker to make the alteration, as it was a private matter, and he did hope that Members would be admitted attired in the same manner as when they accompanied an Address to the Crown. He asked nothing more than that the right hon. Gentleman should revert to the practice of his predecessor.

House adjourned at Three o'clock till To-morrow.

HOUSE OF LORDS,

Friday, November 5, 1852.

Several Lords—Took the Oaths.

The Viscount Bolingbroke—Sat first in Parliament after the Death of his Father.

APPROVAL OF THE SPEAKER.

The Lords Commissioners—the Lord Chancellor, the Lord Privy Seal (the Marquess of Salisbury), the Lord Steward (the Duke of Montrose), the Earl of Eglinton, and Lord Colchester—being seated, and the Commons, who were summoned, being come, the Right Hon. Charles Shaw Lefevre, Speaker elect, addressing the Lords Commissioners, said: My Lords, I have to acquaint your Lordships that, in obedience to Her Majesty's commands, and in the exercise of their undoubted privilege, Her Majesty's faithful Commons have proceeded to the election of a Speaker, and that their choice has fallen upon me. Deeply impressed with a sense of my own unworthiness, I now submit myself for Her Majesty's gracious approbation.

The LORD CHANCELLOR: Mr. Shaw Lefevre, we are commanded by Her Majesty to assure you that Her Majesty is satisfied of your ample sufficiency to discharge the important duties which Her faithful Commons have elected you to perform, and that Her Majesty most fully approves and confirms their choice.

Mr. SPEAKER: My Lords, I bow with all humility to Her Majesty's Royal will and pleasure. It now becomes my duty, in the name and on the behalf of the Commons of the United Kingdom, to lay claim, by humble petition to Her Majesty, to all their ancient and undoubted rights and privileges; more especially to those of freedom of debate, freedom from arrest for themselves and their servants, free access to Her Majesty whenever occasion may require; and that Her Majesty will be pleased to place the most favourable construction upon all their proceedings. For myself, I humbly entreat that any error which may be committed may be imputed to me alone, and not to Her Majesty's faithful Commons.

The LORD CHANCELLOR: Mr. Speaker, we have it further in command from Her Majesty to inform you that Her Majesty most readily confirms all the rights, liberties, and privileges which have ever been granted to or conferred upon Her faithful Commons, either by Her Majesty or by any of Her Royal predecessors. With respect to yourself, Sir, although Her Majesty is sensible you will stand in need of no such indulgence, we are commanded to assure you that Her Majesty will ever put the most favourable construction on your words and actions, as well as on those of Her faithful Commons.

Then the Commons withdrew.

House adjourned to Monday next.

HOUSE OF COMMONS,

Friday, November 5, 1852.

The House met—at Two o'clock.

APPROVAL OF THE SPEAKER.

The Speaker Elect took the chair at Two o'clock.

Message from the Lords Commissioners, desiring the immediate attendance of the House in the House of Lords.

The House went:—and being returned,

Mr. SPEAKER said: I have to report to the House that the House has been this day to the House of Peers, where I have had the honour of communicating to the Lords Commissioners appointed by Her Majesty, that this House, in the exercise of its undoubted privilege, had proceeded to the election of a Speaker, and that their choice had fallen upon me; which choice Her Majesty's Commissioners were pleased to signify had received Her Majesty's Royal confirmation. Whereupon I made my humble petition to Her Majesty, in the name and on the behalf of the Commons of the United Kingdom, for all their ancient and undoubted rights and privileges, especially those of freedom of debate, freedom from arrest for themselves and their servants, free access to Her Majesty whenever occasion may require, and that Her Majesty would be graciously pleased to place the most favourable construction on all their proceedings. All which privileges the Lords Commissioners were pleased to signify Her Majesty conceded to as full an extent as they had ever been conceded by any of Her Majesty's Royal predecessors. Having made this communication to the House, I hope hon. Members will allow me to take this opportunity of again offering my sincere and grateful acknowledgments for the very honourable distinction they have again conferred upon me by placing me, for the fourth time, in this chair as their Speaker. I invite them to aid and assist me with their counsel and support in maintaining the authority of the chair; and I hope I may assure them that, as far as lies in my power, that authority will be exercised with perfect impartiality, and in the manner most conducive to the public interests, and to the honour and dignity of the House. I will now remind hon. Members that the only business with which we can at present proceed is to take the oaths as prescribed by law.

Mr. Speaker then took the Oaths, first alone; and after him several other Members took the Oaths.

House adjourned at a quarter after Four o'clock.

HOUSE OF COMMONS.

Saturday, November 6, 1852.

The House met—at Twelve o'clock.

Several other Members took the Oaths.

A Member, being one of the People called Quakers, made the Affirmation required by Law.

House adjourned at a quarter after Four o'clock.

HOUSE OF LORDS,

Monday, November 8, 1852.

Several Lords—Took the Oaths.

The Lord Stafford—Took the Oath prescribed by the Act of 10th *Geo.* IV. to be taken by Peers professing the Roman Catholic Religion.

The Right Honourable Sir Stratford Canning, G.C.B., Ambassador Extraordinary and Plenipotentiary at the Sublime Ottoman Porte — Having been created Viscount Stratford de Radcliffe, was (in the usual Manner) introduced, and took the Oaths.

The Right Honourable Sir FitzRoy James Henry Somerset, commonly called Lord FitzRoy James Henry Somerset, G.C.B., Lieutenant General in the Army, and Master General of the Ordnance—Having been created Baron Raglan, was (in the usual Manner) introduced, and took the Oaths.

His Royal Highness the Duke of Cambridge—Singly took the Oaths.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Monday, November 8, 1852.

The House met—at One o'clock.

Several other Members took the Oaths.

A Member, being one of the People called Quakers, made the Affirmation required by Law.

House adjourned at a quarter after Four o'clock.

HOUSE OF LORDS,

Tuesday, November 9, 1852.

Several Lords—Took the Oaths.

The Lord Dormer and The Lord Arundell of Wardour—Took the Oath prescribed by the Act of 10th *Geo.* IV. to be taken by Peers professing the Roman Catholic Religion.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Tuesday, November 9, 1852.

The House met—at Twelve o'clock.

Several other Members took the Oaths.

House adjourned at a quarter after Four o'clock.

HOUSE OF LORDS,

Wednesday, November 10, 1852.

Several Lords—Took the Oaths.

The Earl Sommers—Sat first in Parliament after the Death of his Father.

The Lord Beaumont—Took the Oath prescribed by the Act of 10th *Geo.* IV. to be taken by Peers professing the Roman Catholic Religion.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Wednesday, November 10, 1852.

The House met—at One o'clock.

Several other Members took the Oaths.

House adjourned at Four o'clock.

HOUSE OF LORDS,

Thursday, November 11, 1852.

MINUTES.] *Took the Oaths.*—Several Lords.

Sat First in Parliament.—The Lord Wenlock, after the Death of his Father.

Took the Oath prescribed by the Act of 10th Geo. IV., to be taken by Peers professing the Roman Catholic Religion.

PUBLIC BILL.—1ª Select Vestries.

THE QUEEN'S SPEECH.

THE QUEEN being seated on the Throne, and the Commons being at the Bar, with their Speaker, HER MAJESTY was pleased to make a most Gracious Speech to both Houses of Parliament as follows :—

"*My Lords, and Gentlemen,*

"I CANNOT meet you for the first Time after the Dissolution of Parliament without expressing My deep Sorrow, in which I am sure you will participate, that your Deliberations can no longer be aided by the Counsels of that illustrious Man whose great Achievements have exalted the Name of *England*, and in whose Loyalty and Patriotism the Interests of My Throne and of My People ever found an unfailing Support. I rely with Confidence on your Desire to join with Me in taking such Steps as may mark your Sense of the irreparable Loss which the Country has sustained by the Death of *Arthur* Duke of *Wellington.*

"I AM happy to acknowledge the Readiness with which My Subjects in general have come forward, in pursuance of the Act of last Session, to join the Ranks of the Militia; and I confidently trust that the Force thus raised by voluntary Enlistment will be calculated to give effective Aid to My regular Army for the Protection and Security of the Country.

"I CONTINUE to receive from all Foreign Powers Assurances of their anxious Desire to maintain the friendly Relations now happily subsisting with My Government.

"FREQUENT and well-founded Complaints on the Part of My *North American* Colonies, of Infractions, by Citizens of the *United States,* of the Fishery Convention of 1818, induced Me to despatch, for the Protection of their Interests, a Class of Vessels better adapted to the Service than those which had been previously employed. This Step has led to Discussions with the Government of the *United States;* and while the Rights of My Subjects have been firmly maintained, the friendly Spirit in which the Question has been treated induces Me to hope that the ultimate Result may be a mutually beneficial Extension and Improvement of our Commercial Intercourse with that great Republic.

"THE special Mission which, in concert with the Prince President of the *French* Republic, I deemed it right to send to the *Argentine* Confederation, has been received with the utmost Cordiality; and the wise and enlightened Policy of the Provisional Director has already opened to the Commerce of the World the great Rivers, hitherto closed, which afford an Access to the Interior of the vast Continent of *South America.*

"I HAVE the Satisfaction of announcing to you that the sincere and zealous

Efforts of the Government of ***Brazil*** for the Suppression of the Slave Trade, now nearly extinguished on that Coast, have enabled Me to suspend the stringent Measures which I had been compelled reluctantly to adopt, a Recurrence to which I anxiously hope may be proved to be unnecessary.

"The Government of Her Most Faithful Majesty have fully recognized the Justice of the Claim which My Gevernment have long urged for the Abolition of the discriminating Duties on the Export of Wine, and have passed a Decree for giving complete Effect to the Stipulations of the Treaty on this Subject.

"You will probably deem it advisable to resume the Inquiries which were commenced by the late Parliament with a view to Legislation on the Subject of the future Government of My *East Indian* Possessions.

"*Gentlemen of the House of Commons,*

"The Estimates for the ensuing Year will in due Time be laid before you.

"The advancement of the Fine Arts and of Practical Science will be readily recognized by you as worthy of the Attention of a great and enlightened Nation. I have directed that a comprehensive Scheme shall be laid before you, having in view the Promotion of these Objects, towards which I invite your Aid and Co-operation.

"*My Lords, and Gentlemen,*

"It gives Me Pleasure to be enabled, by the blessing of Providence, to congratulate you on the generally improved Condition of the Country, and especially of the Industrious Classes. If you should be of opinion that recent Legislation in contributing, with other Causes, to this happy Result, has at the same time inflicted unavoidable Injury on certain important Interests, I recommend you dispassionately to consider how far it may be practicable equitably to mitigate that Injury, and to enable the Industry of the Country to meet successfully that unrestricted Competition to which Parliament, in its Wisdom, has decided that it should be subjected.

"I trust that the general Improvement, notwithstanding many Obstacles, has extended to *Ireland;* and while I rely with Confidence on your Aid, should it be required, to restrain that unhappy Spirit of Insubordination and Turbulence which produces many and aggravates all of the Evils which afflict that Portion of My Dominions, I recommend to you the Adoption of such a liberal and generous Policy towards *Ireland* as may encourage and assist her to rally from the Depression in which she has been sunk by the Sufferings of late Years.

"Anxious to promote the Efficiency of every Branch of our National Church, I have thought fit to issue a Commission to inquire and report to Me how far, in their Opinion, the Capitular Institutions of the Country are capable of being made more effective for the great Objects of Religious Worship, Religious Education, and Ecclesiastical Discipline.

"I have directed that the Reports of the Commissioners for inquiring into the System of Education pursued at *Oxford* and *Cambridge* should be communicated to the governing Bodies of those Universities, for their Consideration; and I rely upon your Readiness to remove any legal Difficulties which may impede the Desire of the Universities at large, or of the several Colleges, to introduce such Amendments into their existing System as they may deem to be more in accordance with the Requirements of the present Time.

"The System of Secondary Punishments has usefully occupied the Labours of successive Parliaments; and I shall rejoice if you shall find it possible to devise Means by which, without giving Encouragement to Crime, Transportation to *Van Diemen's Land* may at no distant Period be altogether discontinued.

"The Subject of Legal Reform continues to engage My anxious Attention. The Acts passed in the last Session of Parliament have been followed up by the Orders necessary for putting them in operation. Inquiries are in progress, by My Direction, with a view of bringing into Harmony the Testamentary Jurisdiction of My several Courts; and Bills will be submitted to you for effecting further Improvements in the Administration of the Law.

"To these and other Measures affecting the Social condition of the Country I am persuaded that you will give your earnest and zealous Attention, and I pray that by the Blessing of Almighty God your Deliberations may be guided to the Well-being and Happiness of My People."

Her Majesty then retired.

ADDRESS IN ANSWER TO THE SPEECH.

The Queen's Speech having been *reported* by the Lord Chancellor,

The Earl of DONOUGHMORE rose to move that an Humble Address be presented to Her Majesty in reply to the gracious Speech which She had that day delivered from the Throne. In doing so, he claimed the forbearance of their Lordships while, in accordance with the course usually followed on such occasions, he made some observations—and he assured the House that in doing so, he would endeavour to restrict those observations within the smallest possible compass consistent with the importance and variety of the subjects alluded to—on the different topics alluded to in that Speech. During the last Session of Parliament, one of the principal measures passed was the Act for embodying the Militia. It was necessary that the people of this country should be placed in a position capable of resisting foreign invasion—not because such invasion was probable from any quarter, but because a great country like ours ought always to be ready to meet the possibility of such danger, not merely in a satisfactory but in a triumphant manner. It was a most satisfactory consideration that this measure had proved eminently successful. The population had everywhere readily and voluntarily come forward to fill the ranks of the Militia, and in very few instances, indeed, would it be necessary to have recourse to the ballot. The officers also of the corps which had been raised had exerted themselves in the most praiseworthy manner to train and discipline the men, and in no instance had any want of zeal or willingness been experienced. The condition of the Foreign Affairs of the country, their Lordships would rejoice to be informed, was satisfactory. Her Majesty said that "She continued to receive from all Foreign Powers assurances of their anxious desire to maintain the friendly relations so happily subsisting at present with Her Government." He could not, however, quit this part of the subject without expressing his humble opinion that the course which some part of the press of this country were pursuing on subjects of foreign politics was not only injudicious but mischievous. The ruler of a neighbouring nation had been subject to unmeasured abuse from a large portion of the public press. The people of England ought not to enter on a system of political propagandism. He apprehended that it was not at this day the feeling of the British nation that it would be wise or expedient to force on foreign nations any particular form of government; the example of France at the end of last century, and the sufferings she had endured from her insane attempt to force her form of government on the rest of Europe, should be a warning to us. He believed that in all parts of this country there was a deep feeling of attachment to the constitution under which we lived, and to the institutions by which we were governed, and a great appreciation of the benefits we derived from them; but that was not a reason why we should endeavour to force our system of government on other nations, or to cover them with invectives because they preferred their own. The French, for reasons best known to themselves, had thought proper to organise their government and constitution anew, as undoubtedly they had a perfect right to do; but whatever our opinion might be as to their proceedings, he hoped that opinion would not be made the ground of unjust and mischievous demonstrations on the part of any amongst us, and that there would be an end to the abuse which had been heaped on the head of the new ruler of France. He would only add that at the commencement of the last Session of Parliament, a similar opinion had been delivered in their Lordships' House by the noble Earl now at the head of the Government, and by the noble Marquess opposite (the Marquess of Lansdowne). The next question to which Her Majesty's Speech referred was that of the Fishery Convention with the United States; and as he believed the recent disagreements on this subject between England and the United States arose from a total misconception on the part of the latter country of the terms of the Convention, he would take the liberty of saying a few words on the circumstances of the case. The Convention of Commerce between England and the United States was signed at London the 20th of October, 1818. The first article was in the following terms:—

> "Whereas differences have arisen respecting the liberty claimed by the United States, for the inhabitants thereof, to take, dry and cure fish, on certain coasts, bays, harbours and creeks, of his Britannic Majesty's dominions in America, it is agreed between the high contracting parties, that the inhabitants of the said United States shall have, for ever, in common with the subjects of his Britannic Majesty, the liberty to take fish of every kind on that part of the southern coast of Newfoundland which extends from Cape Ray to the Rameau islands, on the western and northern coast of Newfoundland, from the said Cape Ray to the Quipron islands on the shores of the Magdalen islands, and also on the coasts, bays, harbours and creeks, from Mount Joly, on the southern coast of Labrador, to and through the Streights of Belleisle, and thence northwardly indefinitely along the coast, without prejudice however to any of the exclusive rights of the Hudson's Bay Company. And that the American fishermen shall also have liberty, for ever, to dry and cure fish in any of the unsettled bays, harbours and creeks of the southern part of the coast of Newfoundland hereabove described, and of the coast of Labrador; but so soon as the same, or any portion thereof, shall be settled, it shall not be lawful for the said fishermen to dry or cure fish at such portion so settled, without previous agreement for such purpose, with the inhabitants, proprietors, or possessors of the ground. And the United States hereby renounce, for ever, any liberty heretofore enjoyed or claimed by the inhabitants thereof, to take, dry, or cure fish, on or within three marine miles of any of the coasts, bays, creeks or harbours of his Britannic Majesty's dominions in America, not included within the above-mentioned limits: provided, however, that the American fishermen shall be admitted to enter such bays or harbours, for the purpose of shelter and of repairing damages therein, of purchasing wood, and of obtaining water, and for no other purpose whatever. But that they shall be under such restrictions as may be necessary to prevent their taking, drying, or curing fish therein, or in any other manner whatever abusing the privileges hereby reserved to them."

It was necessary to state that this Convention had been maintained by the authorities of this country, and that a force had been sent immediately after its conclusion sufficient to express our determination to insist on the rights given to by it. From June, 1821, to October, 1851, thirty-five American fishing-vessels had been seized and adjudicated on in the new Admiralty Court of Halifax: but of late, complaints had been received in great numbers from our colonies that infringements were made daily of the treaty of 1818. There was a great call for the establishment of a new marine police to guard our rights and protect our interests. In former years it was our custom to send to the North American station a small number of large vessels; but latterly a larger number of smaller vessels had been sent, which had proved much more effectual in protecting our fishermen. In consequence of these proceedings on our part, some complaints were made by the United States, and a discussion arose as to the words of the treaty, and as to what was meant by the distance of three marine miles from any of the coasts, bays, &c. It turned out that the most valuable part of the fishery was within the distance of three miles from the coast; and that, even if Her Majesty had been inclined, as She was not, to surrender Her rights under the treaty, the United States would not have been entitled to enjoy any part of that fishery which was most valuable—namely, the mackerel fishery. Whatever feeling had been created in the United

States by the proceedings of our Government, there was reason now to hope that the Government of the United States was disposed to negotiate cordially on the point, and that great and important commercial advantages would be gained to our North American Colonies by the settlement of the question. His Lordship then referred to the next paragraph in Her Majesty's Speech relative to the recent opening of the great rivers of South America. It would be in their Lordships' recollection that in the last Session of Parliament, the noble Lord opposite (Lord Beaumont) had made a Motion on the subject of the great internal waters of South America. At that time the Dictator, Rosas, who had for years refused access to our shipping to the great rivers of the territories over which he ruled, had been hurled from power, and hopes were entertained that his successors would adopt a more liberal policy. It was most satisfactory to know that all the objects contemplated by the noble Lord and others who took part in that discussion had been accomplished; a joint mission of an envoy of Her Majesty, together with one from the President of the French Republic, had been most cordially received at Buenos Ayres, and the whole of the internal waters of the Argentine Confederation had been thrown open to foreign commerce. It was scarcely possible to estimate the benefit which our trade would derive from this measure. One whole State—the Republic of Paraguay—would now for the first time be opened to us, and our produce could now be conveyed, through these newly-opened channels, nearly to the foot of the Andes. The next paragraph of the Speech adverted to the efforts recently made by the Brazilian Government for the suppression of the slave trade. It would be in the recollection of their Lordships that the Government of Brazil had entered into a convention with this country on the 23rd of November, 1826, subsequently ratified in London on the 13th of March, 1827, whereby the slave trade was declared to be piracy after three years from the date of ratification. A law against the slave trade was subsequently enacted by Brazil on the 7th of November, 1831; but it proved ineffective. A large number of slaves were annually imported into Brazil for several years afterwards. In 1842 the number of slaves landed in Brazil was 17,435, and in 1848 it had increased ty 60,000. The law enacted by Brazil in September, 1850, and the subsequent decrees of the 14th of October and the 14th of November, 1850, had, however, been more effective. In 1849 the number of slaves landed in Brazil amounted to 54,000, but in 1850 it sank to 23,000, and in 1851 to 3,287. He therefore hoped that in a very short time the importation of slaves to Brazil would entirely cease. The slave trade was now principally directed to Cuba, the only part of America in which at present it was carried on to any extent. The means at the disposal of Government for the suppression of this infamous traffic could now be concentrated against the Cuban trade, and we might hope that soon the slave trade would exist only in history. Her Majesty had also informed them that the Portuguese Government had fully recognised the justice of the claim which our Government have long urged for the abolition of the discriminating duties on the export of wine, and have passed a decree for giving complete effect to the stipulations of the treaty on this subject; and he (the Earl of Donoughmore) thought the noble Lord the present Foreign Secretary (Lord Malmesbury), deserved great credit for the successful issue to which the negotiations on this subject had been brought. Her Majesty next alluded to the affairs of India. The Committee which sat last Session on the subject rendered it advisable to resume the inquiries which had been already commenced with a view to legislation on the subject of the future government of our East India empire. A very large addition had been made of late years to our territory, and a war was now proceeding which was very likely to lead to still further additions. Her Majesty next congratulated Parliament and the country on the generally improved condition of the nation, and the prosperous state of the industrious classes. He fully concurred in these congratulations. It gave him great pleasure to acknowledge that the state of the manufacturing population and the industrious classes generally was at present most satisfactory. A difference of opinion might and no doubt did exist on the cause of our prosperity; but he was disposed to admit that the improved condition of the working classes might be attributed to the cheapness of their food. The increased importation of gold, and the large amount of emigration to Australia and America, might also have contributed to it. His Lordship then referred to the paragraph in the Speech relative to the general improvement of Ireland after its many years of care and suffering. The sufferings which the people of Ireland had endured were not to be described, and could only be understood by those who, like himself, had witnessed them. That unhappy country, however, was now, he was happy to state, slowly recovering from the slough of despond in which she had been so unfortunately plunged. He rejoiced to think that the policy which he understood the Government of the noble Earl intended to pursue towards Ireland was so just and good. Ireland must not be treated according to the cold and formal theories of political economy—she was in a peculiar position, and required peculiar treatment—she required indulgent care—she needed the paternal hand of Government to assist her in recovering from her exhaustion—to develop her resources, and gradually to establish a sound system. He was sorry, however, to remark upon some dark features in the picture of Irish affairs—he alluded to those disturbances and murders which had recently occurred there. One would have thought that the scenes of ruin and desolation which had taken place throughout the island would have taught the Irish people the absolute necessity of obedience to the laws, and that from the observance of the laws they were alone to expect prosperity; but it seemed that the terrible lesson had, at least to some extent, been lost upon them, and that insubordination and violence prevailed in many districts. He hoped the Government would assist to their utmost in developing the resources of Ireland, and encouraging industry and trade, but, at the same time, outrage must be repressed, and the power of the law must be maintained. Obedience to the law was an ingredient of the first necessity towards the tranquillity and regeneration of Ireland. The noble Earl then alluded to the following paragraph in the Royal Speech:—

> "Anxious to promote the efficiency of every branch of our National Church, I have thought fit to issue a Commission to inquire and report to me how far, in their opinion, the capitular institutions of the country are capable of being made more effective for the great objects of religious worship, religious education, and ecclesiastical discipline."

The National Church must always be an object of solicitude to their Lordships, but, like all ancient institutions, it needed reform; but those reforms must be administered with a tender hand. It was worth their Lordships' while to inquire whether those capitulary institutions and our great Universities might not be made more consonant to the wants of the age; but the rights of the National Church should not be in any manner endangered by those reforms. Her Majesty had alluded to the qnestion of University reform:—

> "I have directed that the reports of the Commissioners for inquiring into the system of education pursued at Oxford and Cambridge should be communicated to the governing bodies of those Universities, for their consideration, and I rely upon your readiness to remove any legal difficulties which may impede the desire of the Universities at large, or of the several Colleges, to introduce such amendments into their existing system as they may deem to be more in accordance with the requirements of the present time."

The question of University reform was akin to that of ecclesiastical reform. He thought the Universities should have the power of reforming themselves, and he hoped Parliament would confer on them such powers as were necessary to enable the heads of them to adapt those venerable seats of learning to the wants of the age. Her Majesty had also alluded to the question of transportation:—

> "The system of secondary punishments has usefully occupied the labours of successive Parliaments, and I shall rejoice if you shall find it possible to devise means by which, without giving encouragement to crime, transportation to Van Diemen's Land may at no distant period be altogether discontinued."

This question had long occupied the attention of their Lordships. The Colonies had often remonstrated against the present system, and the Government were anxious to find out some other mode of punishment which would not entail the evils now complained of. He had stated that the Militia law was the great Act of last Session, but there was one other great measure also which had been passed into law, he meant that of legal reform. Her Majesty observed upon it—

> "The subject of legal reform continues to engage my anxious attention. The Acts passed in the last Session of Parliament have been followed up by the orders necessary for putting them in operation; inquiries are in progress, by my direction, with a view of bringing into harmony the testamentary jurisdiction of my several courts; and Bills will be submitted to you for effecting further improvements in the administration of the law."

He felt sure that all their Lordships would concur with him in thanking the noble and learned Lord on the woolsack for the zeal, ability, and perseverance which he had shown in carrying out the intentions of the Legislature. The Government, he was happy to say, did not propose to stop the progress of these reforms, but were prepared to bring in other measures which he trusted would meet their Lordships' concurrence. The noble Lords on the other side had arrogated to themselves the title of reformers. He did not quarrel with that designation, but he must apply the same epithet to noble Lords on his side of the House; and certainly the noble and learned Lord on the woolsack had proved himself well deserving of the name of reformer—for he believed none had done so much in the same time to promote legal reform, and place those reforms upon a sound principle. He had thought it better to reserve the most prominent paragraph in the Speech for the last subject of his observations. He believed their Lordships, in common with the whole nation, felt as one man with respect to the illustrious deceased—that great man who had in youth fought our battles, and who in age had guided our councils—that chair, which was now vacant, was that which their Lordships were long accustomed to see filled by the venerable presence of the Duke of Wellington, who, with painful solicitude, from the advancing weakness of mortality, endeavoured to catch the words which fell from their Lordships, and continued at more than fourscore years to discharge his public duty to the last. So much had been said, and so ably said, by public writers and orators—from the press, from the pulpit and the platform—upon the great features of the Duke's character, that it was unnecessary for him to dwell upon them at any length; but there was one point in his character which he thought had not been sufficiently dwelt upon—that his loss was not so much a loss to this nation as to the whole world. As a soldier he restored the equilibrium of Europe, and evoked order out of chaos, and in after years as a civilian, he preserved, by his moderation and good counsel, that peace which he had established by his genius and his valour. When that great man's ashes were laid in St. Paul's, his remains would be followed not by Englishmen only, but by deputations from most of the great nations of Europe. He had left behind him memorials of his worth which would live as long as the literature of the country lasted—documents not remarkable for their eloquence and fine writing, but the character of the man was stamped upon the despatches of the Duke of Wellington in a manner unmistakeable; and the pages of those remarkable volumes would be read with interest and with advantage in ages still far distant. From one comment which had been made on his death, he begged leave to dissent. Now that he was gone, it was said that, if an European war should unfortunately break out, we should have no general capable of directing the action of the war, and of leading our troops on to victory. To that assertion he could not assent; for, in his opinion, the Duke of Wellington would have lived in vain, had he not inspired Englishmen by his example to follow in the course which he himself had run. He believed that there were many men now living who had drunk from the holy fountain which he had opened, and who were anxious to emulate his bright example. He believed that if a day should come when it was necessary to fight our battle on our own shores, we should find a hero equal to the occasion, and that among the officers formed under Wellington's eye, and by his precepts, there would be no lack of men capable of confronting the best chieftain which our enemies might bring against them. The noble Earl (who was throughout very indistinctly heard) then concluded by moving—" That an humble Address be presented to Her Majesty, in answer to Her gracious Speech from the Throne."

The following is a copy of the Address agreed to:—

" MOST GRACIOUS SOVEREIGN,

" WE, Your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal, in Parliament assembled, beg leave to return Your Majesty our humble Thanks for Your Majesty's most gracious Speech from the Throne.

" WE beg leave to assure Your Majesty of our Participation in the deep Sorrow which Your Majesty in meeting us has been pleased to express, that our Deliberations can no longer be aided by the Counsels of that illustrious Man whose great Achievements have exalted the Name of *England*, and in whose Loyalty and Patriotism the Interests of Your Majesty's Throne and People ever found an unfailing Support.

" WE beg also to assure Your Majesty that we cordially desire to join with Your Majesty in taking such Steps as may mark our Sense of the irreparable Loss which the Country has sustained by the Death of *Arthur* Duke of *Wellington*.

" WE thank Your Majesty for Your Majesty's gracious Acknowledgement of the Readiness with which your Majesty's Subjects in general have come forward, in pursuance of the Act of last

Session, to join the Ranks of the Militia; and for the expression of Your Majesty's confident Trust that the Force thus raised by voluntary Elistment wlll be calculated to give effective Aid to Your Majesty's regular Army for the Protection and Security of the Country.

"We thank Your Majesty for informing us that Your Majesty continues to receive from all Foreign Powers Assurances of their anxious Desire to maintain the friendly Relations now happily subsisting with Your Majesty's Government.

"We beg humbly to thank Your Majesty for the Information that frequent and well-founded Complaints on the Part of Your Majesty's *North American* Colonies, of Infractions, by Citizens of the *United States*, of the Fishery Convention of 1818, have induced Your Majesty to despatch, for the Protection of their Interests, a Class of Vessels better adapted to the Service than those which had been previously employed; that this Step has led to Discussions with the Government of the *United States;* and that, while the Rights of Your Majesty's Subjects have been firmly maintained, the friendly Spirit in which the Question has been treated induces Your Majesty to hope that the ultimate Result may be a mutually beneficial Extension and Improvement of our Commercial Intercourse with that great Republic.

"We thank Your Majesty for informing us that the special Mission which, in concert with the Prince President of the *French* Republic, Your Majesty deemed it right to send to the *Argentine* Confederation, has been received with the utmost Cordiality; and that the wise and enlightened Policy of the Provisional Director has already opened to the Commerce of the World the great Rivers, hitherto closed, which afford an Access to the Interior of the vast Continent of *South America.*

"We humbly assure Your Majesty that we receive with Satisfaction the Announcement that the sincere and zealous Efforts of the Government of *Brazil* for the Suppression of the Slave Trade, now nearly extinguished on that Coast, have enabled Your Majesty to suspend the stringent Measures which Your Majesty had been compelled reluctantly to adopt, a Recurrence to which we, in common with Your Majesty, anxiously hope may be proved to be unnecessary.

"We thank Your Majesty for informing us that the Government of Her Most Faithful Majesty have fully recognized the Justice of the Claim which Your Majesty's Government have long urged for the Abolition of the discriminating Duties on the Export of Wine, and have passed a Decree for giving complete Effect to the Stipulations of the Treaty on this Subject.

"We beg leave to express our humble Concurrence with Your Majesty in the Opinion that it will be advisable to resume the Inquiries which were commenced by the late Parliament with a view to Legislation on the Subject of the future Government of Your Majesty's *East Indian* Possessions.

"We humbly assure Your Majesty that we participate in the Pleasure which Your Majesty is pleased to express at being enabled, by the Blessing of Providence, to congratulate us on the generally improved Condition of the Country, and especially of the Industrious Classes; and we beg humbly to thank Your Majesty for Your Majesty's gracious Recommendation that if we should be of opinion that recent Legislation in contributing, with other Causes, to this happy Result, has at the same Time inflicted unavoidable Injury on certain important Interests, we should dispassionately consider how far it may be practicable equitably to mitigate that Injury, and to enable the Industry of the Country to meet successfully that unrestricted Competition to which Parliament, in its Wisdom, has decided that it should be subjected.

"We thank Your Majesty for the Information that Your Majesty trusts that the general Improvement, notwithstanding many Obstacles, has extended to *Ireland;* and we assure Your Majesty that while Your Majesty may rely with Confidence on our Aid, should it be required, to restrain that unhappy Spirit of Insubordination and Turbulence which produces many and aggravates all of the Evils which affect that Portion of Your Majesty's Dominions, we shall readily attend to Your Majesty's gracious Recommendation that we should adopt such a liberal and generous Policy towards *Ireland* as may encourage and assist her to rally from the Depression in which she has been sunk by the sufferings of late Years.

"We thank Your Majesty for informing us that Your Majesty, anxious to promote the Efficiency of every Branch of our National Church, has thought fit to issue a Commission to inquire and report to Your Majesty how far, in their Opinion, the Capitular Institutions of the Country are capable of being made more effective for the great Objects of Religious Worship, Religious Education, and Ecclesiastical Discipline.

"We beg humbly to thank Your Majesty for directing that the Reports of the Commissioners for inquiring into the System of Education pursued at *Oxford* and *Cambridge* should be communicated to the governing Bodies of those Universities, for their Consideration; and we humbly assure Your Majesty that Your Majesty may rely upon our Readiness to remove any legal Difficulties which may impede the Desire of the Universities at large, or of the several Colleges, to introduce such Amendments into their existing System as they may deem to be more in accordance with the Requirements of the present Time.

"We humbly beg to assure Your Majesty that we concur in the Opinion that the System of Secondary Punishments has usefully occupied the Labours of successive Parliaments; and that we shall rejoice with Your Majesty if we shall find it possible to devise Means by which, without giving Encouragement to Crime, Transportation to *Van Diemen's Land* may at no distant Period be altogether discontinued.

"We thank Your Majesty for informing us that the Subject of Legal Reform continues to engage Your Majesty's anxious attention; that the Acts passed in the last Session of Parliament have been followed up by the Orders necessary for putting them in operation; that Inquiries are in progress, by Your Majesty's Direction, with a view of bringing into Harmony the Testamentary Jurisdiction of Your Majesty's several Courts; and that Bills will be submitted to us for effecting further Improvements in the Administration of the Law.

"We humbly beg to assure Your Majesty that to these and other Measures affecting the Social Condition of the Country we shall give our earnest and zealous Attention, and that we join most fervently in Your Majesty's Prayer that by the Blessing of Almighty God our Deliberations may be guided to the Well-being and Happiness of Your Majesty's People."

The Marquess of BATH rose to second the Address. He said, that he must begin by entreating their Lordships to make allowances for the deficiencies of one who then addressed the House for the first time; and by their Lordships' kind indulgence he would proceed to make a few observations in support of the Motion which had been made by the noble Earl. The first topic in Her Majesty's Speech was the death of that lamented hero the Duke of Wellington. Her Majesty said—

> "I cannot meet you for the first time, after the dissolution of Parliament, without expressing my deep sorrow, in which I am sure you will participate, that your deliberations can no longer be aided by the counsels of that illustrious man, whose great achievements have exalted the name of England, and in whose loyalty and patriotism the interests of my throne and of my people ever found an unfailing support. I rely with confidence on your desire to join with me in taking such steps as may mark your sense of the irreparable loss which the country has sustained by the death of Arthur Duke of Wellington."

He was sure the sentiments expressed by Her Majesty, when She condoled with them on so great a loss, would find an echo in the heart of every class of Her Majesty's subjects, and in none more than in their Lordships' House. The memory of the great Duke would be ever revered by his countrymen as that of one who was the exemplar and type of those great national virtues, devotion to the Sovereign, and attachment to the constitution, which distinguished the people of this country. If the illustrious warrior had been still living, he had no doubt that he would view with satisfaction the happy results of that measure on which he himself bestowed so much attention, and on which he addressed their Lordships—he rather thought on the last time he ever spoke in that House—with so much authority and with so great effect. He alluded to the Militia Bill, which was the next subject to which Her Majesty alluded in Her Speech, in which She expressed Her acknowledgments for the manner in which the people had cheerfully come forward in the discharge of their duties; and it was gratifying to observe that all classes had submitted with readiness to the requirements of the public service, that volunteers had come forward with alacrity, and that at the present moment nearly all the regiments had completed their full complements. Great praise was due, therefore, to the officers for the prompt way in which they had discharged their duty, and to the people of this country, who had so readily responded to the call that had been made upon them. By their conduct on this occasion the people of England had declared that though, at the present moment, there was nothing to fear from any foreign Power, and that though foreign affairs could not be in a more satisfactory condition than at present, yet, that if any change were to occur hereafter, their country would be protected, and that they had nothing to dread for their altars and their homes; and that, whatever dangers threatened, they would prove that they had never lost that love for their country and their constitution which justly distinguished them over every other nation in the world. He would not trouble their Lordships with any remarks on the present state of foreign affairs, though the settlement of the fisheries question with America—which if not in so satisfactory a condition as might be wished, could not fail being satisfactory to their Lordships—at least secured to this country assurances of a desire to maintain peace and friendly relations; and he would therefore proceed to that passage of the Speech in which Her

Majesty congratulated the Legislature on the prosperity of the country, and more especially of the industrious classes. It might be that this prosperity was the result of recent legislation, aided, perhaps, by the influx of gold from the colonies and Australia, and by the emigration which had carried away the surplus population, whereby the competition of labour was rendered less severe. The condition of the manufacturing interests and of the operatives throughout the country might be flourishing; but, though they might recognise the good effects of recent measures in these instances, they must not forget that certain very important classes of Her Majesty's subjects had not been so prosperous. The agricultural interest certainly was labouring under depression, and was suffering distress, which had been increased by those measures that had proved so much to the advantage of other classes. The agricultural interest had undoubtedly sustained considerable injury from the new system of finance; but however much they had suffered themselves, he knew that they had no wish to impede or obstruct measures productive of so much good to the rest of their fellow subjects. They were ready to aid and assist in every way they could in the full carrying out of that system. But although its benefits had been felt by the great majority of the industrial classes of the community, still it must be remembered a large portion of the nation, not less loyal, not less industrious, was suffering. He, therefore, hoped that their Lordships would dispassionately consider Her Majesty's gracious recommendation on this subject—

> "To consider how far it may be practicable equitably to mitigate that injury, and to enable the industry of the country to meet successfully that unrestricted competition to which Parliament, in its wisdom, has decided that it should be subjected."

He trusted their Lordships would attend to that recommendation, and that it might be practicable to find some alleviation of the distress of the agricultural interest which would not interfere with the system of policy the country had adopted, and devise some equitable measure of relief for the agricultural interest, that would not interfere with the system of policy which the country had now adopted, and equalise their condition to that of the rest of their fellow subjects. The noble Marquess, after briefly expressing his concurrence in the portions of the Speech having reference to Ireland, and to the reform of Oxford and Cambridge Universities, said he would not trouble their Lordships with any further remarks, but would content himself with simply seconding the Address in answer to the Royal Speech which the noble Earl had moved.

The MARQUESS of LANSDOWNE: My Lords, I confess that I should not perhaps have felt it my duty to address your Lordships at all on this occasion after the Royal Speech which has been made, and the Address which has been moved, were it not for the circumstance that the greatest feature in that Speech—the most prominent feature at its commencement, and at the commencement of the Address which the noble Lord (the Earl of Donoughmore) has proposed, is one to which I feel it my duty, not to call your Lordships' attention, because your Lordships' attention is already fixed upon it, but on which I feel it my duty to make some few remarks. For, although I do not feel myself authorised, either on this or on any other subject, to speak the sentiments and feelings of any large body of persons in this House, I perhaps have some claim, as an individual, to address your Lordships on this topic, not merely because, owing to the great personal respect that I entertained for the noble Duke whom we have lost—who is lost to the country and lost to our councils—not merely because without any political connexion whatever with that noble Duke, he has done me the honour at times to consider me as his friend; and on the very last occasion on which he addressed this House, he did me the honour to speak of me in those terms; but because as one of, perhaps, the oldest Members of the House, I remember the whole of that noble duke's military and Parliamentary career. My Lords, I stand in somewhat of a peculiar situation before your Lordships, addressing you on this subject, because it may not be known to the greater number of your Lordships—indeed, there are not many now alive to recollect it—that the individual who has now the honour of addressing you, some forty-seven years ago in his place in the other House of Parliament, when young in his Parliamentary life, was permitted and authorised by his colleagues of that time to call on that other House to do justice to the memory and to provide for the family of one of the greatest heroes that ever lived, and with whom alone in the military annals of this country the noble Duke now no more could be compared. It was, my Lords, in the year 1807—at a time of great difficulty and a great crisis in the military affairs of this country—that the country was compelled by a stroke of fate to lose the services of the greatest admiral that ever distinguished this country, and who then fell in the arms of victory—

> "Fallen from his high estate,
> And weltering in his blood."

There was then but one unanimous feeling on that subject; but when I addressed the House of Commons upon it I was then but imperfectly aware—those whom I addressed were also but imperfectly aware—that at the very moment when that great man had raised the Navy of this country to the highest pinnacle of perfection and of glory, there was rising in the far East another man destined to perform the same great services by the Army of this country, and to raise it—by efforts constantly directed to that object, by the most unremitting study, the most untiring efforts, and the greatest practical skill—to a position in which it afterwards asserted the dignity of this country throughout the world, and established that high character which, thank God, the British Army, under his peaceful administration, as well as under his military career, have never forfeited. Such were the characters of these two illustrious men—differing from each other undoubtedly, as men do in particular points of their character, but resembling each other in all that was great and excellent—directing their attention to one great object—not indifferent, either of them, undoubtedly (as who is indifferent?) to the praise of others; but never allowing that praise to divert them for one moment from the service of their country, but making the honour of the Crown and the safety of the people the sole object of that unconquerable energy which regulated them in all the paths of duty. My Lords, I feel—any man may feel—proud of having lived with such cotemporaries. I have been reminded, in speaking of them, of that expression which is to be found in one of the most English of our poets, when adverting to the great men of his time, and speaking of the character of England and of Englishmen at that day, he says—Enough to him,

> "That Chatham's language was his mother tongue,
> And Wolfe's great name compatriot with his own!"

This I can well apply to the great man to whom I allude; and I am sure that the country will feel with me that it is a sufficient gratification of the pride which an Englishman ought to feel in his country and in its history, that he has lived to see in the same age two such men, of such actions, uniformly directed to the public good. My Lords, in selecting these great men as the glory of their age and their country, I do not mean to overlook the fact, that during the same time and through the same lengthened period there has arisen genius of another kind—that the arts and sciences have not been dormant, and that men of great capacity, great industry, and great patriotism have helped to make this country what she is—have contributed, and essentially contributed, to her prosperity, her wealth, and her greatness. But, my Lords, we must always recollect, when we are called on to do honour to the heads of the military profession, that our wealth, our prosperity, and our commerce would cease to be secure unless it was protected. Let it be remembered that, to whatever pitch and to whatever extent the manufacturing and the commercial industry of the country may be carried, and whatever accumulation of capital may find itself employed and settled on our shores, that that capital and that industry would disappear at once, and instead of attracting the eye, would attract the rapacity of the world, if for a moment it was supposed to be defenceless. This is our position. For be assured, my Lords, that in the present state of the world, and in that state in which it must long continue, it is not merely to industry—however laudable as that industry is—it is not merely to science and to art, in their civil characters—noble as those pursuits are—that you can alone look for the continuance of the glory and of the Crown of this Realm, unless you make up your minds to protect them efficiently, and to show yourselves not only one of the most industrious, but also one of the most powerful, nations of the world. I have thought it right, my Lords, to say so much on this subject, because it lies deep in my heart. I have associated these observations with the names of men who, in my opinion, have done more than any men have ever done to bring forward the resources, and to strengthen the power and efficacy of these resources, for the defence and the protection of this Empire. Having associated them together, I do not feel myself called upon to dwell more particularly on the history and the achievements of the illustrious man to whom I have been referring. If it was necessary to enumerate those achievements, I should wish to leave it to greater eloquence and to greater ability; but I do not deem it requisite to enumerate them—they are in all their rapid succession one record, and in daily perusal forming now a part of the history of the world. They live, they are present in all men's minds—they are familiar to all men's tongues, and they are stamped and engraven on all men's hearts. Therefore, my Lords, I have risen for the purpose of giving vent to my own feelings on the subject, with the knowledge and the confidence that such must be the feelings of this House. Therefore I am less inclined even than I otherwise should be to enter upon the various topics of Her Majesty's Gracious Speech, and from the way in which those topics have been carefully introduced I am able to avoid entering upon them; because I do not understand this House to be now called upon for any distinct opinion with respect to them. They are all important; and in making the character of the illustrious person of whom I have spoken the prominent feature—as far as I am concerned—in this discussion, I shall not be accused of in any degree undervaluing the importance of the other paragraphs of the Speech from the Throne. My Lords, I find nothing in the terms of the Speech which attempts to engage your Lordships' support, or to engage your Lordships' approbation in any way that may now or hereafter interfere with that course of policy which your Lordships may think fit to adopt, and which I shall, in common with others, feel myself free to adopt on any future occasion. I certainly do wish that in the Speech we heard from the Throne there had been a less hesitating and a less faltering declaration of the views of Her Majesty's Government with respect to those great questions of commercial policy which have been alluded to. I certainly do think, my Lords, the time has come when, after months and even years have elapsed, when, after all the experience that facts could suggest, after all the arithmetic which has been brought to bear on those questions of policy in every form and in every shape, that not only the country but that even Her Majesty's Ministers might have been able to form a competent opinion. But their opinion has not been very distinctly enunciated; and, even aiding myself in the interpretation of the Royal Speech by the speeches of the noble Earl who moved and the noble Marquess who seconded the Address, I do not know whether I may infer that it has been the opinion of Her Majesty's Government that what is called the recent legislation has had a large share in producing the present prosperity of the country. It is right and natural that when a ship is sinking the officers should be reluctant to be the first to abandon her, and that they should be desirous to be the last seen upon her deck. But I must say that I do not see any very great zeal shown, either in this House or elsewhere in the country, to encourage and stand by what was at one time called "the good old cause," namely protection, but which will be known by that name no longer. I believe that the country has abandoned that cause, having found, if it were not abandoned, that facts would be a cheat, that experience would be a liar, and arithmetic would be good for nothing. I hail with the greatest satisfaction the indirect admissions and direct acknowledgments of the benefits which free trade has conferred upon this country, coming as they do, in different shapes and in different degrees, from almost if not all the leading persons in the Kingdom, in and out of this House. We have had no intimation as to the policy of Her Majesty's Government on the subject of taxation; whether it is their intention to adopt direct or indirect taxation. I hope, however, we may be justified in inferring from this abstinence from all positive statement of the future policy of the Government, that they now entertain the opinion that not only has the legislation of late years been attended with the happiest effects, but that it is their intention to pursue that legislation in the same spirit and upon the same principles. If they should adopt this course, then I have no hesitation in saying that they will be entitled to the support of every man in the country who has been the advocate of free trade; and humble as my support and efforts are, I can assure them that they shall not be withheld from them. I will not say more on this subject. I do not wish to enter at present upon any discussion on the question of free trade and protection. Further opportunities will arise for doing so, if there should still be found persons in this House disposed to raise doubts, or to take up a question which has now been laid aside by Her Majesty's Ministers. When the Government are prepared to lay their explanations before the House, then will be the time to go into detail upon this subject. Upon the other observations and the other paragraphs of the Speech from the Throne, I see nothing that I have to object to; but I must say that there was not one to which I listened with greater satisfaction than to that which testifies to the continuance of that zeal in the Government of Brazil for the suppression of the slave trade, which for the last two or three years has done honour to the Government of that country, and distinguished it from those of many other countries. I rejoice to hear that that zeal on the part of the Brazilian Government has enabled Her Majesty's Ministers—not to have done with, I trust, but—to suspend those stringent measures which had for their object the enforcement of treaties with that Government. Deeply convinced, as I was, that those measures were just, and that if necessary they ought to be resumed, still I am persuaded that there is no reform so efficacious, no amendment so great, as that which springs from a Government itself becoming conscious of the duty which it owes to humanity, and anxious to signalise itself, as others have done, in that noble career. We must all hope that, by following up the persevering exertions that have been already made, that most detestable of all trades may be effectually put down and abolished for ever. My Lords, having said so much, I will detain your Lordships no longer, and I will only add that I am sure your Lordships will receive the various measures which I presume Her Majesty's Ministers will ere long submit to you, with a very sincere desire to give them the most serious and impartial consideration.

Lord BROUGHAM: My Lords, after what has fallen from my noble Friend, I should be doing a very superfluous act were I to detain your Lordships many minutes, by attempting to follow him with unequal steps over the ground which he has so successfully trodden, or by adverting to other matters which I agree with him in thinking we shall more conveniently discuss on future occasions. Upon the subject of the slave traffic, to which he has adverted, and upon that other great subject of law amendment, called in the Speech from the Throne legal reform, I need not say how entirely I go along with him. On that which now so justly occupies men's minds, and is so fitly made the leading subject of the Speech from the Throne, I would willingly forbear to dwell did not its connexion with the great interests of this country and of the world, as well as the fear of misconstruction, make silence impossible—that ever-glorious, but now painful, subject on which all are agreed—the irreparable loss which all deplore. It asked, indeed, no gift of prophecy to foresee—there was no risk in 'foretelling—that when he should yield to fate who had never yielded to man, enemy, or rival, every whisper of detraction would be hushed, and each voice be raised to proclaim his transcendent merit. The event has surpassed the expectation. All classes—every description of his fellow-citizens, without distinction of rank, or party, or sect—abroad as at home—the country he served, the allies he saved, the adversaries he encountered—in just recollection of benefits, or in generous oblivion of differences—all, not inconsiderately, but upon discriminating reflection, have joined with an assent so unbroken, so universal, as I verily believe is not recorded in the history of human renown.—And yet it is not his exploits merely, not his genius, and his marvellous fortune, so apt to dazzle mankind, that we are called principally to mark. The example of his illustrious career is most to be studied for the constant abnegation of every selfish feeling which his whole life displayed—the habitual sacrifice of all personal, all party considerations, to the single object of strict duty—of strict duty rigorously performed in what station soever he might be called to act—so that his public virtue is even more to be revered, than his genius or his fortune to be admired. Heaven, in its great mercy, forbid that the time should come when we shall feel yet more sensibly than now we do, his irreparable loss! I agree entirely with the noble Mover of the Address, that we have no right whatever to interfere with the course which any foreign country may pursue in the management of its own affairs. We can have no possible title to complain of the institutions which other nations may adopt, or disparage the rulers whom they may choose to set over them. But, also, the noble Lord will allow me to add, we lie under no obligation to regard the words rather than the acts of any Government, be it our own or another; and as when the people, here or elsewhere, are fondly and most rationally desirous of peace, a mighty security for that unspeakable blessing is afforded by free discussion prevailing among them, of all kinds, on all subjects, so, I am bound to admit, that this security is impaired by suppressing all discussion, of every kind, on every subject. Such measures may be quite right, or they may be wholly wrong—they may be absolutely necessary to prevent mischief, or they may be absolutely impotent to avert it, or they may be productive of worser mischiefs. With that we have no concern; it is not our affair—we have no right to interfere—God forbid we should!—but we have no right even to object—we may only as bystanders, as spectators deeply interested however, lament that any course should be anywhere pursued which weakens our protection against the last of calamities, not to us alone—not to this country or to that, but to Europe—to the world—to humanity itself—the disturbance of the general repose. Our security against that disaster is impaired. Still I hope and trust such evil times will not come — I even upon the whole believe they will not come—enough that they may—and assuredly it is not only our unquestionable right, but our imperative duty, to make timely provision against them.—And, may I be permitted to add, that in discharging this duty we shall render an appropriate tribute to him for whom we now mourn—the tribute himself would most have prized—if, adopting the opinion he deliberately formed, we follow the counsel he so earnestly gave, and do that which of all men, he of all things had nearest his heart, promptly and effectually complete the defences of the country—not neglecting, but cherishing, her ancient alliances—most available when they are neither forced nor purchased; but, having their origin in a common interest, are to be maintained by constant good offices and scrupulous good faith—good faith between Government and Government—good offices between people and people.

The EARL of DERBY: My Lords, before I proceed to any other of the topics alluded to in the Speech from the Throne, on which it may be expected that I shall address your Lordships, there is one topic on which I am sure you will feel that it is impossible for me to avoid addressing you briefly—and it shall be but very briefly—because that topic is one which at this moment is foremost in the minds, not of your Lordships only, but of every man in this country—nay, more, I think I may say of a large portion of the inhabitants of every country in the world. My Lords, it is impossible that we should again assemble together in this House of Parliament without remembering, as Her Majesty was pleased to remember in the Speech from the Throne, the irreparable loss we have recently sustained. Even now, as I rise to address your Lordships, my eye instinctively turns to the head of this table, and looking to what my noble Friend the noble Earl behind me has so feelingly referred to as that empty seat, I miss there one familiar and venerable form—his grey head resting on his hand, upraised to assist the infirmity of his ear, as, conscientiously and laboriously, he seeks to catch the arguments of the humblest Members who may be addressing your Lordships. Again, my Lords, I see him rising from that seat amidst the breathless silence of your Lordships' House, and with faltering accents, with no studied eloquence, in homely phrase, but with a power and grasp of mind which seized as it were intuitively the very pith and marrow of the matter in hand; slowly and deliberately impressing on your Lordships' rapt attention the pithy and sententious maxims of intuitive sagacity, the results of calm wisdom and of mature experience. Well, indeed, my Lords, do I feel it to be for me that I need not attempt to describe the achievements which have for ever illustrated the name of that great man. You are already all well aware of his unparalleled achievements in the field, his possession of all the qualifications which mark the great military leader, his sagacity in council, his unswerving loyalty to his Sovereign, his deep and untiring devotion to the interests of his country, his noble self-reliance, his firmness and zeal, and that distinguishing trait in his character, his abnegation of all selfish views in consideration of the welfare of his country. My Lords, all these great and high qualities are already written in the undying pages of history; they are already engraven on the grateful hearts of an unforgetting people; they have already been honoured by the recognition of the Sovereign—they have been liberally acknowledged and confessed by all the world. But he is gone; he is gone where human honour is no more, and where mortal glory is lost in infinite benignity and justice. He is gone, in the words of the noble tribute paid by the Italian poet to the illustrious Duke's great rival—

> "Ov è silenzio e tenebre
> La gloria che passo."

This country can never forget all the events of his long and splendid career—his triumphs on the field of battle, at the head of his troops—his services in the congresses of monarchs, in the councils of statesmen, in the cabinets of his colleagues, and in the face of the assembled Parliament of his country, while throughout he remained unseduced by the lustre of his own great name, and undazzled by the blaze of his own transcendent glory—stedfastly resisting the promptings of a vulgar ambition—flinging away from him as unworthy of his notice all motives of personal interest, he rose superior to the paltry struggles of parties, and in every stage of his life preferred the welfare of the nation and of the Crown which he served to any petty or personal feeling of self-interest. My Lords, from this great subject I turn to subjects of far lower interest, but subjects, nevertheless, of no inconsiderable magnitude. But before I touch upon them, I must return my thanks—and I am sure your Lordships will be disposed to join me on the occasion—to my noble Friends, the noble Earl and the noble Marquess who moved and seconded the Address, for the signal good taste, the clearness and precision with which they have called your Lordships' attention to the various topics in that Address. Although I have often in this and in the other House of Parliament listened to the early efforts of young Members of either House, with respect to whom the country had afterwards reason to form the highest expectations, I can truly say that I have seldom listened to any discourses delivered under the same circumstances which held out stronger hopes of future distinction than the discourses which have this evening marked the introduction to Parliamentary life of my noble Friends, the noble Earl and the noble Marquess. I should also feel that I should not discharge my duty if I did not frankly acknowledge the courteous, and I hope I may be permitted to say, the friendly tone in which the noble Marquess opposite (the Marquess of Lansdowne)—who I rejoice is once more among us at the commencement of the Session—referred to the position in which Her Majesty's Ministers now stand towards Parliament. It is a source of great satisfaction to me to believe that there is nothing in the Speech from the Throne which can disturb that unanimity with which it is so desirable that we should present our Address to Her Majesty. I do not at all complain of the manner in which the noble Marquess referred to one point on which it will be necessary for me frankly and unreservedly to state the views which I entertain. I thank the noble Marquess and my noble and learned Friend opposite (Lord Brougham) for the language they have held with regard to the state of our foreign relations; and I concur with both of them in thinking that while it is our plain and obvious duty to abstain from interfering in the slightest degree with the internal condition of any foreign State—while I recognise to the fullest extent the right of every State to regulate its own affairs, the constitution and the form of its government, or any other matter of purely internal interest; and while, moreover, looking not to the language alone, but looking to the acts of all foreign nations, I see no apprehension at the present moment of an interruption of our friendly relations with any one of those nations with which we are at present in amity, whatever may be their forms of government, I cordially concur with the noble Marquess, and my noble and learned Friend, in thinking that it is not to the professions—it is not to the friendly acts—it is not to the attitude of any foreign country that this nation must trust if we desire to be independent and to be respected—I believe that while we are desirous of maintaining the goodwill of all foreign nations—while we are anxious to avoid all causes of offence and irritation, our real permanent security must rest on our own capacity for internal defence, on the hearts in the first instance, and in the next instance on the organisation of our own people. And, therefore, I think it is a legitimate subject of congratulation that, notwithstanding the efforts made in various quarters by persons of whom I desire only to say that I think, whatever may be their motives, their policy is mistaken, to prevent the formation of that purely defensive force which was provided by the Act of last Session, and which received the sanction of the illustrious Duke we have lost in the very last speech which he addressed to your Lordships—I think it is a legitimate subject of congratulation to find that, notwithstanding the efforts that have been made to prevent the formation and organisation of that force, there has still been found throughout the country that strong British feeling, that attachment to our national institutions—an attachment demonstrated not by words, but by actions—which has brought into the field for the public defence, and notwithstanding many difficulties has brought into some degree of efficiency, as fine and able a body of young men as ever volunteered their services for the defence of the country during the hottest period of the war. Nor will I deny that there is much that ought to be done for the material defence of the country. That is a topic, however, into which I am sure that your Lordships will not expect that I should enter on this occasion. It is sufficient if I say that the attention of Her Majesty's Government has been sedulously and continuously directed to that most important object, and no doubt their means of effectively providing for the defence of the country, without any desire of giving offence to foreign Powers, will be not inconsiderably strengthened by the tone and language which the noble Marquess, with so much sound sense and good feeling, has addressed to you this evening. My Lords, I will not now touch on any of the topics of the Speech relating to our foreign relations, or indeed on any topic except one of those to which the noble Marquess has adverted; because—important as they all are, and confident as I feel, that more fitting opportunities will offer of discussing them —I am confident that Her Majesty's Government, whenever discussion shall take place upon any of them, will be able to justify the course which they have pursued, and the measures which they intend to recommend to Parliament. But I concur with the noble Marquess that this is not the occasion, nor is it desirable on any of these subjects, to pledge your Lordships, by agreeing unanimously to this Address, to the assertion of any principle as connected with any of these measures. But there is one topic, and that one of paramount importance, upon which I think I shall not discharge my duty to your Lordships and the country if I do not say a few words. I advert to that passage of Her Majesty's Speech in which She congratulates the country, and I believe with very good reason, upon the improved condition of the country generally, and more especially of the industrious classes. When I say the improved condition I mean this: For a course of three or four years, since a period of great difficulty, of great misery, and of great national calamity, there has been a gradual, and to my mind a most satisfactory, progress in each year in improvement over the year preceding, until at last in the year 1852, I believe we have returned in every respect to, and in some we have gone beyond, the period of 1846, which was a period of great and acknowledged national prosperity. I am not now speaking of causes, I am speaking of facts; and although I will not trouble your Lordships with many of them at present, I will refer to some which I have obtained from the best sources of information, and which I consider to be the best tests of the real condition of the industrious classes of this country, and which show that that condition is one of unusual prosperity. I believe you can take no better criterions than, upon this subject, for example, the amount of pauperism, and the consumption of the principal articles, such as tea, coffee, cocoa, tobacco, sugar, and all those other articles which enter into the consumption of the great body of the people, and with regard to which, those being articles of exclusively foreign importation, we are capable not merely of ascertaining the amount which has been imported, but also the amount which has been consumed, without the possibility of the admixture of any article grown in this country, the amount of which, of course, greater or less, would materially affect the calculation. I find, then, that with regard to all these articles, there has been within the last few years a continuous and progressively rapid increase of consumption, from which I think we may fairly argue that the great mass of the people, so far as their expenditure would directly show itself in the consumption of those articles, are in a state of gradual improvement. I look again to the condition of the savings banks of this country; and I think that few circumstances more clearly show the condition of the great mass of the community than the proportions which are borne between the amount subtracted from and the amount deposited in the savings banks. Now I am not speaking of the number of depositors, or the amount of the deposits, because the sums deposited and the number of depositors may be influenced by certain accidental circumstances, and do not necessarily exhibit the amount of the sums saved from the earnings of the people; but I am speaking of the amount of the contributions. I find that in the course of the years 1847, 1848, and 1849, there was a diminution in the amount invested in the savings banks of a most formidable character. I will not trouble your Lordships by many figures, but this is a case which shows, in a very striking manner, the extent to which years of distress had operated on the condition of the industrious classes in different parts of the country, and the period at which the tide began to turn towards prosperity. I hold in my hand a table, which, dividing the districts of this country into agricultural districts and manufacturing districts, exhibits in each year since 1846 the amounts paid in to the trustees, and the amounts withdrawn from the trustees of the savings banks; and the balance between those amounts affords no bad indication of the prosperity or the distress of the country. Now, in the agricultural districts I find this remarkable result: In the year 1846, towards the close of that year, there had been withdrawn in those districts, beyond the deposits, a sum of 80,434*l.*; in the year 1847 the withdrawals had surpassed the deposits by a sum of 335,000*l.*; in the year 1848 that balance was no less than 782,000*l.*; in the year 1849 it was 379,000*l.*; in the year 1850 it was 542,000*l.*; in the year 1851 this adverse balance was reduced to 165,000*l.*; and in the course of the present year I am happy to say that the amounts of the withdrawals and of the deposits have balanced themselves within a few hundred pounds. This is so far satisfactory; but these statistics show that from 1848 to 1852 great sufferings had been endured by the agricultural population; for in those four years the balance withdrawn from the savings banks in the agricultural districts alone amounted to nearly two millions and a half. The manufacturing districts exhibited during those years a similar falling-off—that is to say, during the early period of those years; inasmuch as in the years 1846 and 1847, there was a predominance in the withdrawals over the deposits to the amount of 330,000*l.*; but in the years 1848, 1849, 1850, and 1851—in every one of those years—there had been in favour of the manufacturing districts an increase in the deposits, varying from 200,000*l.* to 400,000*l.* But without troubling your Lordships with further figures, it is satisfactory to know that in the years 1850, 1851, and 1852, there is exhibited in these manufacturing districts in regard to the savings banks the same evidence of prosperity as is exhibited in the consumption of articles of prime necessity—the evidence of a constantly improving state of things, and of a recurrence to that condition of national prosperity which was experienced in 1846. Now, my Lords, as I said before, I am stating facts, and not attributing causes; but, at the same time, I will not shrink from expressing my opinion with regard to some, at least, of the causes which have been at work to effect these results. I do not hesitate in making an acknowledgment that in my opinion a great portion of the prosperity of the agricultural, and the manufacturing, and the labouring classes, but more especially of the labouring classes, is to be attributed to that legislation, combined with other causes, which has given to them the advantage of cheap and abundant food, and which, at the same time, other circumstances have prevented from being accompanied by those concomitant evils which we had undoubtedly anticipated. Your Lordships will recollect the circumstances to which I refer as having neutralised the injurious effects of—while they have permitted to come into full operation—the advantages to be derived from a system of policy which makes the provisions of the people cheap and abundant. I do not hesitate to say that I concur in a great measure with my noble Friend the noble Earl behind me, that two causes have had a material effect in contributing to that result—namely, the discovery of extensive gold mines in different parts of the world, and the large amount of emigration, which, parly arising from that discovery, and partly arising from other causes, has taken place to an enormous extent, and to a still increasing extent, during the law few years. The apprehensions which I entertained—apprehensions which were entertained by a large number of those who concurred with me in political opinion —that a fall in the price of provisions, other matters remaining as they were, would be quite certain to lead to a corresponding, and more than a corresponding, fall in the amount of wages, have not, I am happy to say, been verified by the fact. I think, however, that that is a proposition which might have been theoretically made clear, and which, but for the circumstances to which I am alluding, would have been proved by practical demonstration. My Lords, I read, perhaps, an erroneous report, but I read with considerable surprise a few days ago, a statement attributed to a right hon. Gentleman (Mr. T. B. Macaulay), whose improved state of health—and I rejoice to say it—permits him again to devote his abilities to the active duties of public life, the brilliancy of whose oratory, and the greatness of whose talents, the new House of Commons must look upon as a great and important acquisition; but, my Lords, if the speech of the right hon. Gentleman to whom I have referred be correctly reported—a speech, the eloquence of which I cannot but admire, although a considerable portion of it was directed—I will not say hardly, but in a manner not worthy of the talents of the right hon. Gentleman, against myself, and against some of those friends with whom I have the honour and the happiness to act—I say, if that speech be correctly reported, I am compelled to give the right hon. Gentleman greater credit for the brilliancy of his oratory than for the soundness of his arguments. Because, in speaking of this very question of the connexion between the cheapness of provisions and the fall of wages, the right hon. Gentleman is reported to have said that he "never had any apprehensions upon the subject, because he bore in mind that the price of wheat was lower and the amount of wages higher in Ohio than in England." But that argument has nothing to do with the effect of the price of provisions upon the amount of wages. He compared two different countries in a wholly different state of society. He said that, because in Ohio, where land may be obtained for a trifle, where the population is scattered, and where labour is scarce, because there there is a coincidence of high wages and a low price of provisions, it will follow as a consequence that the same effects would take place in England in a totally different state of society, and where the amount of wages is regulated by the proportion which the supply of labour bears to the demand for labour in the labour market. My Lords, all that we contend for is this—that when in Ohio, as in England and everywhere else, the prices of corn or provisions fall to the consumer and to the producer, in that case, apart from other circumstances, there will be a diminution of wages in the same proportion. But, my Lords, the circumstances as affecting this country have been wholly altered by the two important causes to which I have referred—by, in the first place, the large production, the incredibly large and increasing production, of gold—a circumstance important, not only in its effects upon the money price of all the articles of commerce, but which, by making money cheap and abundant, and consequently reducing the rate of interest, enables the employers of labour to make exertions which they otherwise could not make, and enables them to furnish an amount of employment which throws the balance in favour of the labourer, by diminishing the apparent number of the competitors for employment: and then, independently of this, look to the extent to which emigration has been carried during the last few years. Why, I have here a return of the amount of emigration in the course of the last two years. I find that, taking England and Ireland together, the amount of emigration from these countries in the years 1850, 1851, and 1852, has been as follows:—In the year 1850, 220,000; in the year 1851, 273,000; and in the year 1852, 305,000 persons—making a total in three years of about 830,000 persons: most of them, be it recollected, being in the prime of life, and competitors in the labour market of this country. Now we must not suppose that this emigration is taking place exclusively from Ireland. The emigration from Liverpool must always be left out of consideration to a great extent, because it must be assumed that of the number of those who emigrate from Liverpool 9-10ths are in reality Irish; so that only 1-10th could be considered to be English emigration—that is to say, 18,000 out of about 187,000 persons. There have, therefore, emigrated from England alone about 80,000 persons. It is possible that these two circumstances combined—the large amount of gold, on the one hand, rendering money cheap and the means of employment easy; and, on the other hand, the great diminution in the number of competitors for labour in the market, must have had the effect in the long run of keeping up the price of the wages of the labouring classes, and of thereby altering the state of affairs, so as in a great degree to prevent the occurrence of those accompanying evils, which, but for those mitigating circumstances, would have occasioned a rapid and a considerable fall of wages. But, my Lords, without looking to what might have been the causes, the system is now established, and working more advantageously for the labouring classes than we had anticipated. I am bound to look, not to the causes, but to the practical result. I am bound to look, also, to the deliberate expression of the opinion and feelings of the country. My Lords, when at the commencement of the last Session, I had, for the first time, the unexpected honour of addressing your Lordships from the place in which I now stand, I stated to your Lordships that it was my desire to be enabled to conduct the business of the country through the Session which had then commenced without any reference to those important questions on which a considerable difference of opinion existed: I mean the fiscal regulations of the country. I was of opinion that that was a point which ought to be referred to the deliberate consideration of the country, as tested by the result of a general election. I stated that, by the result of that general election I and my Colleagues were prepared to abide, and had determined we should have the full sanction and support of a large majority of the country, to abstain from proposing those measures which we ourselves, in our own private judgment, might have deemed most conducive to the happiness and prosperity of the State. My Lords, that appeal has been made; and I have no hesitation in saying to your Lordships that with regard to the imposition of any duty upon corn and provisions, not only is there not that large majority without the existence of which I declared that I would submit no such proposition to the consideration of Parliament; but the country by a very large and undoubted majority, including a very considerable number of the representatives of the agricultural districts themselves, has declared that whether it might have been desirable or not as a matter of policy, yet that in the present state of affairs they are determined not to depart from that system of legislation which has been established—that the country will not agree to the imposition of any tax on the introduction of articles of provisions. My Lords, I say that that resolution carries with it the whole financial policy of the country. It might have been possible to have adopted the system of free trade, as it is commonly called, and to have made those particular articles exceptions to the general policy. But it is not possible to lay down a system of policy by which you should have free trade in corn and provisions, and yet not follow up, as far as possible, the same principle with regard to other articles. My Lords, if I understand the meaning of the common expression "free trade," it is this, that you will not impose taxes for the purpose of protecting individual or local interests, but that you will impose them for the purposes of revenue, and of revenue only; and that in the imposition of those taxes you will have especial regard to lightening the burdens which may be imposed upon those articles which mainly enter into the consumption of the great mass of the community. Now, my Lords, in that system I see much of advantage, but I do not deny that I see much of difficulty. I see great present advantages, but I am not sure—God forbid that I should be right!—that that system may not lead to future embarrassments as the necessary consequences of the changes in our financial system. But, my Lords, I do not hesitate to say that after the opinion which has been pronounced by the country, whatever may be my own views, or those of my colleagues, as to the policy which we may deem it desirable should be adopted, I see that the recurrence of such a policy would be in itself impracticable; and that, even if it were practicable, it would be most undesirable to raise such a question for controversy among large masses of the community. On the part, then, of myself and of my colleagues, I bow to the decision of the country; and having so bowed, I declare on their part and on my own, that while desirous of mitigating to the utmost of our power that unavoidable injury which the adoption of that policy has inflicted, and must inflict on important classes, I do not adopt it with any reserve whatever. I adopt it frankly as the decision of the country, and I am prepared honestly and fairly to carry it out as a Minister of the Crown. My Lords, I hope that the noble Marquess will not, after what I have stated, say either that Her Majesty's Government require time to make up their minds as to the course which they will pursue, or that they have faltered or hesitated in declaring their intention. It would be obviously improper for me, upon the present occasion, to enter into the details of those measures by which we believe that that injury might be mitigated, and by which we believe that without interfering with the general policy which for shortness is called "free trade," we might confer advantages on those classes which have suffered from its adoption—I say it would be improper for me on this occasion to offer any statement in detail to your Lordships' House. But I have the satisfaction of stating to your Lordships that if you and the country can have patience and wait for a period of one short fortnight, my right hon. Friend the Chancellor of the Exchequer will then be prepared to lay before the other House of Parliament, in full detail, those financial measures, which in the present state of affairs Her Majesty's Government are of opinion should be adopted. Until that period shall arrive, I trust that the House will abstain from pronouncing or expressing any opinion. I trust that your Lordships will hear at all events the views which Her Majesty's Government may entertain upon the subject. I trust you will give a deliberate and dispassionate consideration to that most important and vital question. You may—the other House of Parliament may—dissent from those views, or they may adopt those views. They may, if they dissent from those views, and if they think fit to act upon their dissent—they may, if they can combine a sufficient number of Gentlemen capable of acting together on this subject, and on all other subjects in which the great interests of the country are concerned—they may undoubtedly, in that case, prevent the adoption of the policy which, with no difference of opinion among them—which, without hesitation, subsequent to the decision of the last general election, Her Majesty's Government have deliberately adopted. But I hope and believe, my Lords, on the other hand, that there will be displayed in Parliament a good sense and a moderation which will not sacrifice the great interests of the nation for the purpose of raising personal taunts or indulging in personal recrimination or personal charges. I believe and I hope that on all sides of the House there will be evinced, in the progress of this Session, that spirit of which we have had so honourable and so satisfactory an instance in the tone of the noble Marquess in this House to-night—a spirit which will induce Parliament to look at great subjects of national importance, not through the medium of this or that section or party—not through the medium of private interest—but as the great Duke whom we have lost would have looked at those subjects, through the medium of that national welfare of which not Ministers alone, but the Members of this and the other House of Parliament, are the natural and proper depositories. My Lords, I will not detain your Lordships by entering into any other topics introduced in the Speech from the Throne. With regard to this question, I have frankly stated that we shall endeavour as honestly to carry out the policy to which we have hitherto objected as if we ourselves had been the authors of that policy. On the other hand, I say as frankly and as distinctly that I will not abstain from any effort which in my judgment, and in the judgment of my colleagues, can be made to mitigate the evils which have been endured by those who have suffered feom the inevitable effects of that policy which the nation has now finally adopted.

Motion agreed to *Nemine Dissentiente;* and a Committee was appointed to prepare the Address: The Committee withdrew; and, after some Time, Report was made of an Address drawn by the Committee,

which being read, was *agreed to,* and Ordered to be presented to Her Majesty by the Lords with White Staves.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Thursday, November 11, 1852.

MINUTES.] PUBLIC BILL.—1° Outlawries.

Message to attend Her Majesty; The House went; and being returned—

MR. SPEAKER *reported* that the House had that day been to the House of Lords, when Her Majesty was pleased to make a most gracious Speech to both Houses of Parliament; and that, for the sake of greater accuracy, he had procured a copy thereof. The right hon. Gentleman then read the Speech to the House.

ADDRESS IN ANSWER TO THE SPEECH.

LORD LOVAINE rose and said: Sir, in rising to move that an humble Address be presented to Her Majesty, in reply to the gracious Speech from the Throne which has just been read, I confess that I wish the task had fallen upon some abler, some more experienced Member of this House, who would have been able to give due weight to the many important topics which it contains. I feel, Sir, the more embarrassment when I consider that the first subject of that Speech is one which must awaken in the country as well as in this House, feelings of the deepest sympathy, affection, and regret. I allude, Sir, of course, to that part of Her Majesty's Speech in which, with Her usual kind and affectionate regard for the wishes and feelings of Her people, Her Majesty invites us, their representatives, to join in making provision for the funeral obsequies of the late Duke of Wellington. Sir, I believe this House will excuse me if I approach with awe an event which has cast a shadow of grief and dismay over the mighty empire which obeys the sceptre of these realms — the quenching of that light which for nearly half a century has been the beacon to every Englishman to light him on the path of duty and honour. No obsequies that we can give—no funeral pomp that we can bestow—can be adequate to express the love and veneration which this House and the country bore to that great man—a love and veneration, Sir, which was not founded upon the mere evanescent and vulgar admiration of military glory. It was not that in his early career he had already given to England the supremacy of the vast empire of India —it was not that, from triumph to triumph, he had raised the name and glory of England to the highest rank amongst the nations—it was not that he seemed to have chained victory to his standard, that he finally became the conqueror of the conqueror of the world—it was not, Sir, I say, so much for these things that this country loved him, as because, not dazzled or blinded by the brightest effulgence of those glories that war had shed around his head, and undeafened by the earthquake voice of victory which hailed him the saviour of the nations, he was able to discern the true end and object of war—an honourable and lasting peace. And when he had brought this country out of the most tremendous struggle that ever nation was engaged in, for existence, as well as for victory, he used all the powers that his successes had given him to effect the permanent establishment of that pacification which his arms had obtained—and that, by every means of conciliation, by every counsel of moderation that was consistent with the safety and honour of this country. How well he succeeded, the history of the last thirty-seven years can tell. We loved him, Sir, because, though he was the intimate and counsellor of the monarchs of Christendom, he used his power for no purposes of selfish aggrandisement, but took his station amongst us, ambitious to prove himself the most faithful and devoted servant of the Crown, the surest and most vigilant protector of the rights and welfare of his fellow-citizens. I believe, Sir, his political opponents will bear witness that his counsel was always ready in the darkest hour of danger and difficulty, and that they could always rely on his honour and sincerity, no less than on the far-seeing and intuitive sagacity which could descry the path of safety, hidden to less gifted eyes. His name will descend to posterity, not only as that of a great statesman—of the greatest warrior —but as a colossal example of unswerving obedience to the calls of duty, of truth, of loyalty, and of honour. I thank God that he went down to the grave with undimmed intellect, conscious of the love that his country bore him, conscious how well he had deserved that love, conscious that he had performed his last duty in warning his country against the danger arising from the intoxication of security, into which her very peace and prosperity had plunged her. And I think, Sir, that when we have closed the tomb over his remains, when we have left him alone in his glory, it will be for the House to consider his last warning, to recollect that we have no longer the protection of that name, which was an omen of victory to us, and of terror and defeat to our enemies—" a lion in their path," which the boldest never ventured to approach; we must remember this, we must muster our resources, and prepare for the advent of that day of adversity which comes to nations not less than to individuals. But it is time for me to quit this subject. I am well aware how poor and inadequate my expressions are to represent the feelings of this House and of the country; but trust that the House will bear with me in its sympathy in the spirit in which I have ventured to pay this last and feeble tribute to the immortal memory of the greatest of Englishmen. Passing then to the other subjects mentioned in Her Majesty's Speech, I perceive that She graciously acknowledges the readiness with which the population of this kingdom have come forward to volunteer for the defence of the country. Sir, though I was not a Member of this House at the time, I perfectly recollect the evil auguries with which the Bill passed at the beginning of the last Session was received—how we were told that Englishmen, unapt to war, were disinclined to undergo the discipline requisite to fit them for the defence of the country, and were unwilling to come forward as volunteers. Sir, the paper that I have here is a sufficient answer to those auguries of evil. I believe that the levy of men was calculated at 50,000, and that in the short space of six weeks (or hardly so much) which has elapsed since the beginning of the enrolment of volunteers 30,000 men have already enrolled themselves for the defence of their country. I think it but just to read to the House the names of those counties which have already furnished their full quota of volunteers, many of whom are at present exercising—they are Bedford, Buckingham, Dorset, Essex, Gloucester, Hertford, Oxford, Huntingdon, Lincoln, London, Northampton, Denbigh, and Montgomery. I can bear witness, from my own personal experience, to the great docility and aptitude for learning their duties, to the good conduct, and to the very remarkable proficiency in the use of arms, which those volunteers now in the field have shown ; and I can state that it astonishes even those who like me have passed part of their lives in the service of the regular Army. Before passing to the next subject, I must observe that if the necessity of a defensive force bears the slightest proportion to the value of that which it is established to defend, it is undoubted that never was a country so much in need of such a protection as ours. Besides the evergrowing wealth, and the immense prosperity already created by the industry of the country, in addition to all the wealth which its commerce has conferred upon her—of which we behold ample testimony in the structures with which private enterprise has covered the land, and which excel as much in the grandeur of their conception as in their utility the boasted edifices of antiquity—in addition to these large sources of prosperity there has been lately poured into the lap of England treasures that exceed almost the wildest fictions of the poet. And, Sir, when one considers the immense emigration this mine of wealth has given rise to, and that the consequent increase in the value of labour has caused the labouring classes in this country, already prosperous, to enjoy a degree of comfort previously unknown I believe in the history of England—when one remembers these things, one is the more struck at the patriotism which induces so many to accept the slender pittance which this country pays to its defenders. Sir, Her Majesty congratulates us upon the peace and tranquillity that prevail on the Continent, and on the friendly relations that continue to subsist, and which guarantee fresh sources of wealth to England, inasmuch as fresh outlets for the products of our industry will be developed by means of that peace and order. The mighty waters which wash the plains of the vast continent of Central America are now open to our fleets, and in their train must follow all the blessings that commerce can confer; and it is to be hoped that the advantages of peace and civilisation will be restored to those countries that have suffered hitherto under all the horrors of civil war. Then, Sir, the success that has attended our arms in the war with the Burmese, will open another pathway for the traffic of nations, by giving us access to the great capital of Burmah. Our trans-Atlantic brethren certainly have conceived against us some feelings of displeasure from the manner in which the acknowledged rights—rights acknowledged by treaty—of England had been enforced; but Her Majesty congratulates us that those differences will soon cease, and that these two nations will pursue in regard to each other a peaceful rivalry in commerce, injurious to neither, but beneficial to both, and which this slight disturbance may have interrupted. Portugal also has shown at last some signs of a disposition to relax her tariff, in the abolition of those duties by which she oppressed our wine trade—and in doing so she will confer not less a benefit on herself than others. But, Sir, there is one species of traffic which, contrary to all others, it has been the pride and glory of England to endeavour to annihilate—I mean the slave trade. Long has she laboured through good report and through evil report to effect that object. Many are the sacrifices she has made of blood as well as of treasure; and now, at last, she sees success within her grasp. The conduct of Brazil has been such as to warrant the hope that we may now look forward to the final extinction of the slave trade. Cuba, and Cuba only, is still a plague-spot on the face of the earth; but when that trade is restricted to so small an island, I cannot see how it is possible that that accursed system can be long maintained in that country. It appears from the returns that the number of slaves landed in Brazil has sunk from 60,000, in the year 1848, to 3,287 in the year 1851—a sufficient reply, I think, to those Gentlemen who are anxious to abolish the blockade which we have so long maintained on the coast of Africa. I am sorry to say that the same cannot be affirmed of Cuba, the number of slaves imported having increased, and that 1,500 more were imported in 1851 than in 1850. I shall now, Sir, refer to another topic, namely, the slavery that exists in all countries—the slavery of crime. I am sure it will be most gratifying to us as well as most cheering to our colonial brethren to hear that the system of transportation to Van Diemen's Land will soon cease; but it is not to be denied that this will involve the mother country in considerable embarrassment if transportation must altogether cease to other countries. I trust, however, that exertions will be made to devise the means by which crime may be checked in the outset, whereby the vast establishments we are obliged to maintain for its punishment may be reduced. Sir, I shall allude no further to the subject of law reform than to express my joy that that which was so happily begun in the beginning of the last Session, is likely to be continued to a practical issue in this. I have a few words more with which I must trespass on the kindness of the House. I have already mentioned the overflowing prosperity of the country—I have already indicated some of the sources from which that prosperity has arisen—I am ready to profess my conviction that the commercial policy which has existed for the last few years has also contributed to that prosperity. I speak now in this House as the representative of an agricultural constituency—I speak now what I spoke on the hustings when I was a candidate for the suffrages of that constituency. I draw a very broad distinction between what is commonly called free trade and the abolition of duties upon corn. I have always believed, and I am ready to assert my belief, that the reformation of the tariff, which abolished all prohibitory duties on all articles of foreign produce whatever, and considering all duties as means only of finance and revenue, was a judicious and unexceptionable course. But the abolition of all duties upon corn, stands altogether upon another footing. It must be argued upon other principles—it must be defended upon other grounds, and sustained by other reasons. When that measure became law, I applied myself to ascertain its effects on the classes that seemed most obnoxious to injury from it. I found that that repeal did inflict considerable misery and suffering on a large and most important class; but I found also, according to the statements of those persons who were best qualified to judge—I found, according to the opinions of that most numerous class which subsists solely on the labour of their own hands—that they had received, in the abolition of the corn duties, a great and practical benefit. Therefore, Sir, I drew the conclusion that it was both impolitic and impossible to retrace our steps in our commercial policy, and that our efforts should be directed as much as possible to the relief of the suffering class from the burdens of which they complain, and to remove from them all restrictions by which they are impeded, and to place them unfettered in the arena in which they have to run the race of competition with foreign countries. I do not think that this House will or ought to turn a deaf ear to the complaints of any class of Englishmen who believe they have a just cause of remonstrance against any measure that may injuriously affect their interests. I believe there are many Gentlemen on both sides of the House representing large and powerful interests, who, in conjunction with ourselves, are ready to raise their voices in the same demands. The sufferings of those classes are not new; they are not for the first time mentioned in the Speech from the Throne; they have been mentioned, and commented upon, at a period when the Government of the country was entrusted to Ministers who were most opposed to the ancient system; and I trust that a conciliatory policy may now be applied—that the present opportunity will be taken to heal the breaches that have been made; to conciliate and to remove those differences that have prevailed hitherto between class and class, and interest and interest. I cannot conceive that the House will turn a deaf ear to the conciliatory policy which has been recommended in Her Majesty's Speech. Hitherto this House has been the place in which the injuries of Englishmen have been redressed, and I trust it will be so still. At least I know it was so of old—when the agricultural interest was the most powerful in this House—for the Statute-book teems with legislation adopted at the instance and under the guidance of the manufacturing, commercial, and shipping interests of this country. I can only hope that by the adoption of such a policy all the dissensions at present existing amongst us will come to an end, and that the internal condition of the country will bear as ample testimony to the reciprocal good feeling between class and class, as its external signs of wealth to the prosperity and welfare of the great mass of its citizens. And, if, Sir, by such measures rest can be given to afflicted and storm-vexed Ireland, I think the Minister that can perform the task will pass to posterity with all the blessings that in heaven and earth are promised to the peacemaker. And now, Sir, I shall conclude by thanking the House for the indulgence it has shown me, and the attention and patience it has displayed in listening to this my first attempt to address it. The noble Lord then moved—

"That an humble Address be presented to Her Majesty, to convey to Her Majesty the Thanks of this House for Her Majesty's most gracious Speech from the Throne, and to assure Her Majesty of our participation in the deep sorrow which Her Majesty, in meeting us, has been pleased to express, that our deliberations can no longer be aided by the counsels of that illustrious man whose great achievements have exalted the name of England, and in whose loyalty and patriotism the interests of Her Majesty's Throne and People ever found an unfailing support; and to assure Her Majesty, that we cordially desire to join with Her Majesty in taking such steps as may mark our sense of the irreparable loss which the Country has sustained by the death of Arthur Duke of Wellington:

"To thank Her Majesty for Her Majesty's gracious acknowledgment of the readiness in which Her Majesty's subjects in general have come forward, in pursuance of the Act of last Session, to join the ranks of the Militia; and for the expression of Her Majesty's confident trust that the force thus raised by voluntary enlistment will be calculated to give effective aid to Her Majesty's regular Army for the protection and security of the Country:

"To thank Her Majesty for informing us that Her Majesty continues to receive from all Foreign Powers assurances of their anxious desire to maintain the friendly relations now happily subsisting with Her Majesty's Government:

"Humbly to thank Her Majesty for the information that frequent and well-founded complaints on the part of Her Majesty's North American Colonies, of infractions, by citizens of the United States, of the Fishery Convention of 1818, have induced Her Majesty to despatch, for the protection of their interests, a class of vessels better adapted to the service than those which had been previously employed; that this step has led to discussions with the Government of the United States; and that while the rights of Her Majesty's Subjects have been firmly maintained, the friendly spirit in which the question has been treated induces Her Majesty to hope that the ultimate result may be a mutually beneficial extension and improvement of our commercial intercourse with that great Republic:

"To thank Her Majesty for informing us that the special mission which, in concert with the Prince President of the French Republic, Her Majesty deemed it right to sent to the Argentine Confederation, has been received with the utmost cordiality; and that the wise and enlightened policy of the Provisional Director has already opened to the commerce of the world the great rivers, hitherto closed, which afford an access to the interior of the vast continent of South America:

"To assure Her Majesty, that we receive with satisfaction the announcement, that the sincere and zealous efforts of the Government of Brazil for the suppression of the Slave Trade, now nearly extinguished on that coast, have enabled Her Majesty to suspend the stringent Measures which Her Majesty had been compelled reluctantly to adopt, a recurrence to which we in common with Her Majesty anxiously hope may be proved to be unnecessary:

"To thank Her Majesty for informing us that the Government of Her Most Faithful Majesty have fully recognised the justice of the claim which Her Majesty's Government have long urged for the abolition of the discriminating Duties on the export of Wine, and have passed a decree for giving complete effect to the stipulations of the Treaty on this subject:

"To express our humble concurrence with Her Majesty, in the opinion that it will be advisable to resume the inquiries which were commenced by the late Parliament, with a view to legislation on the subject of the future government of Her Majesty's East Indian Possessions:

"To thank Her Majesty for informing us that the Estimate for the ensuing year will in due time be laid before us:

"To assure Her Majesty that we readily recognise that the advancement of the Fine Arts, and of Practical Science, is worthy of a great and enlightened Nation; and to thank Her Majesty for having given directions that a comprehensive scheme shall be laid before us, having in view the promotion of these objects, to which Her Majesty invites our aid and co-operation:

"To assure Her Majesty that we participate in the pleasure which Her Majesty is pleased to express at being enabled, by the blessing of Providence, to congratulate us on the generally improved condition of the Country, and especially of the industrious classes; and humbly to thank Her Majesty for Her Majesty's gracious recommendation, that if we should be of opinion that recent legislation, in contributing with other causes to this happy result, has, at the same time, inflicted unavoidable injury on certain important interests, we should dispassionately consider how far it may be practicable equitably to mitigate that injury, and to enable the industry of the Country to meet successfully that unrestricted competition to which Parliament, in its wisdom, has decided that it should be subjected:

"To thank Her Majesty for the information that Her Majesty trusts that the general improvement, notwithstanding many obstacles, has extended to Ireland, and to assure Her Majesty, that while Her Majesty may rely with confidence on our aid, should it be required, to restrain that unhappy spirit of insubordination and turbulence which produces many and aggravates all of the evils which afflict that portion of Her Majesty's Dominions, we shall readily attend to Her Majesty's gracious recommendation that we should adopt such a liberal and generous policy towards Ireland as may encourage and assist her to rally from the depression in which she has been sunk by the sufferings of late years:

"To thank Her Majesty for informing us, that Her Majesty, anxious to promote the efficiency of every branch of our National Church, has thought fit to issue a Commission to inquire and report to Her Majesty how far, in their opinion, the Capitular Institutions of the Country are capable of being made more effective for the great objects of Religious Worship, Religious Education, and Ecclesiastical Discipline:

"Humbly to thank Her Majesty, for directing that the Reports of the Commissioners for inquiring into the system of Education pursued at Oxford and Cambridge, should be communicated to the governing Bodies of those Universities for their consideration; and to assure Her Majesty, that Her Majesty may rely upon our readiness to remove any legal difficulties which may impede the desire of the Universities at large, or of the several Colleges, to introduce such amendments into their existing system as they may deem to be more in accordance with the requirements of the present time:

"Humbly to concur with Her Majesty in opinion that the system of Secondary Punishments has usefully occupied the labours of successive Parliaments; and to assure Her Majesty that we shall rejoice with Her Majesty if we shall find it possible to devise means by which, without giving encouragement to crime, Transportation to Van Diemen's Land may at no distant period be altogether discontinued:

"To thank Her Majesty for informing us that the subject of Legal Reform continues to engage Her Majesty's anxious attention; that the Acts passed in the last Session of Parliament have been followed up by the Orders necessary for putting them in operation; that inquiries are in progress, by Her Majesty's direction, with a view of bringing into harmony the Testamentary Jurisdiction of Her Majesty's several Courts; and that Bills will be submitted to us for effecting further improvements in the Administration of the Law:

"Humbly to assure Her Majesty that to these and other measures affecting the social condition of the Country, we shall give our earnest and zealous attention, and that we join in Her Majesty's prayer that by the blessing of Almighty God our deliberations may be guided to the well-being and happiness of Her Majesty's people."

Mr. E. C. EGERTON: Sir, in rising to second the Motion that the House should agree to the Address just read by the noble Lord—when I take into consideration the deep importance of the occasion which has called us together—when I take into consideration the nature of the topics to be submitted to us, I feel more than ordinary occasion to solicit from the House its never-failing indulgence and kindness. Ably as the noble Lord has spoken on that topic which now is most in the hearts of Englishmen, I trust the House will pardon me if I indulge in a few additional remarks. I feel the fullest conviction, Sir, that this House, whatever difference of opinion there may be upon other parts of this Address, will entertain none but the deepest sympathy for the sorrow, the attachment, and high affection evinced by Her Majesty in that part of Her Message to Parliament in which She deplores the loss of Her ablest and most devoted servant. To the Sovereign, to whom his ready and disinterested counsels were ever open—to the Senate, whose deliberations his matured judgment so often guided—and to the nation at large, who saw in him the highest example of the purest patriotism and most inflexible honour, the loss is indeed irreparable. Sir, it would be presumptuous in me to attempt the praise of his glorious deeds in arms; they will stand recorded as long as time shall last in the glowing pages of history, which will tell for the admiration of future ages how, in two quarters of the world, the great commander, by his brilliant strategy and indomitable labour, after a series of matchless victories, unclouded by a single reverse, succeeded in obtaining for his country that noblest end of war, a lasting peace. Sir, at the close of those labours, with unabated energy, he brought to the civil service of his Sovereign the same devoted loyalty and unflinching sense of duty; and has thus presented to the world an unparalleled example of greatness unsurpassed alike in peace and war. But, Sir, I will not dwell any further on this topic, for I know that in the course of the debate there will be opportunities given to others whose eloquence would better befit the noble theme, and who have enjoyed the high privilege of his friendship, to pay their tribute to his imperishable renown. This only I will add, that while this House and the country unite in mournful veneration to do honour to his memory, we at the same time do homage to our free institutions, which have in him added another to the long line of England's sons, who, though born in a private station, have by their own unaided exertions raised themselves to the highest dignities and offices of the State. I will now pass on to the next topic; and here I am sure the House will learn with satisfaction the success which has attended the raising of the militia. Called for as that measure was in the opinions of successive Ministries, by no feelings of groundless panic, but of ordinary prudence for the necessary defence of the country—sanctioned as it was by the high authority of the illustrious hero, whose last words in the House of Lords bore testimony to its absolute necessity—it has, notwithstanding the gloomy predictions of some Gentlemen on the other side of the House, been most cheerfully responded to by the loyalty of the nation, which has thus fully testified its consciousness that in prompt preparation for war consists the best security for peace. I will merely observe, that this House will, I am sure, participate in the satisfaction with which Her Majesty is able to announce the successful results of the late diplomatic negotiations with the Government of the United States; that the differences which had for a time disturbed the harmony of the two countries on the subject of the fisheries, have been brought to a satisfactory termination, and that, without concession on our part of the just rights and privileges of our North American colonies, we have been enabled to maintain those amicable relations which the well-wisher of each must be so anxious to preserve between nations owning one common language and origin, and still further to extend our commercial intercourse. But there is a topic alluded to in the Royal Speech to which the noble Lord has not adverted, and on which I will say a few words—I mean that in which Her Majesty calls the attention of the House to the question of extending education by the advancement of the fine arts and of practical science. Sir, it has long been matter of experience, which was fully confirmed by the late Great Exhibition, that, unbounded as is the energy of our manufacturers, and unrivalled as are the productions of our artisans in many cases, yet that in some branches of art, which require mechanical skill and taste, they have been excelled by the artisans of foreign countries, where greater facilities are given for instruction in the more scientific branches of trade. It is to remedy that, to put the Englishman on the same footing with the foreigner, and to give a more enlightened instruction with respect to some branches of trade, that Her Majesty has been graciously pleased to put this paragraph in the Speech. That this is a fact of which our own manufacturing population is sensible was evident from their strongly-expressed desire for increased means of instruction. Many hon. Gentlemen could, no doubt, bear testimony to the rapid increase of mechanics' institutes in our large towns, to the gratitude with which the establishment of schools of design has been received, and to the increased demands for those artisans who have in those schools received their instructions. And when I remember that one of the greatest benefits which the Exhibition of last year conferred on society was the opportunity which it afforded to the inhabitants of the whole civilised world to meet together and to inspect together the various natural and artificial products of their relative countries, thus by a happy interchange of practical and scientific knowledge, by the communion of mind with mind, creating a friendly and generous rivalry between nations, likely to conduce to the common prosperity of all—when I remember these things, I may, perhaps, be permitted to indulge the hope, that as it has been the lot of former Ministers to afford to that portion of our manufacturing population whose daily labour administers to our physical requirements and tastes, the inestimable blessings of cheapened food, increased enjoyment of air, light, and drainage, I say, that as it was the lot of two former Governments to administer to their physical wants and requirements, it may be reserved to be the privilege of the present Government that they first secured, on an extended scale, to the industrial classes that sound education in the scientific principles of their trades which will enable them to compete in the race of civilisation with the world, and thus, by a further development of our manufactures and commerce, tend to our increased national greatness and prosperity. That the greatest activity exists in all branches of commerce, that public and private prosperity are on the increase, that, in spite of large reductions, there is no falling-off in the amount of taxation, are matters of sincere congratulation; and that congratulation is much enhanced by the knowledge that in that increase of prosperity the working classes have had a large share. It is impossible for any one who has had personal testimony of the increased comfort of their homes, after the experience of the last two years, to deny that that result has, in a large measure, arisen to them from the late commercial legislation, which has brought not only cheapened food, but the increased enjoyment of the other necessaries of life. That boon once given cannot now be withdrawn; and I think the time has come when, an appeal having been made to the electoral body of the country, the verdict which has been given should be acquiesced in, that the question of the unrestricted food of the people should be settled; and that with that question merging those differences which have so long divided classes and contributed to mutual irritation and discomfort, we may find it a fitting opportunity for Parliament to consider dispassionately, and in no spirit of class legislation, whether any injustice has been sustained by other interests who are admitted to have been long suffering; and if any injustice can be shown under which those interests are peculiarly sufferers, I am sure that the sense of justice which this House has always evinced will prompt it to give its best attention to the remedy. There are other topics to which I will make only a short reference. I congratulate the House and the country on the advantages which have been derived from the adoption of the legal reforms of last Session, and on the prospect that further legal reforms are to take place. I hope the progress already made in law reform will encourage the House to persevere in further progress in the same useful direction—the further, I think, we go over that road, the better—and it may confidently be hoped that in a short period the abuses in the Ecclesiastical Courts will be remedied, so that we may thus be enabled to see the administration of the law stripped of all unnecessary delay and technicalities, and made more conducive to the wishes of the community at large. My noble Friend has spoken so fully on the subject of transportation that I will not touch upon it at all; but, thanking the House for the very kind and patient indulgence it has accorded to me, I will, in conclusion, express my trust that a wise and beneficent Providence will direct all our legislation to the advancement of true religion, sound education, and good government, and that we may thereby present to the world the spectacle of an united and a happy people. I will not further trespass on the House than to thank it for its forbearance and courtesy, and to second the Address.

Mr. C. VILLIERS said, he hoped the House would not think him very presumptuous if he rose thus early in the evening to make a few observations on the subject of the Address, and on what had fallen from the noble Lord and the hon. Gentleman by whom it had been moved and seconded. He could assure the House it was with great reluctance that he did so, because he was entirely of a mind with those who thought that it was desirable upon the occasion of receiving a Message or a Speech from the Crown, that they should, if possible, respond to it with unanimity. He believed that to be the feeling of the House generally—he had observed it to be so, since he had been in Parliament; but he need not say that it depended entirely on the discretion of the Minister what tone would be taken, and what turn would be given, to a discussion on the Address, because he was responsible for the Speech: he selected the topics contained in it; he chose the Members who were to expound his policy, and he knew well the requirements of the House as to the matters on which it desired to be informed, whether as regarded the state of the country, our foreign relations, or any of those great matters that might be at issue in the country, on which it was desirable to know the opinion of the Government. There would be no Amendment proposed to an Address, or any objection taken to it, unless there was some omission of what it was known to be the desire of the House to be acquainted with, or a statement of some policy which was sure to be opposed. It was under these circumstances that he rose to complain somewhat of the Address that had been moved that evening. He did not, of course, complain of all that was contained in the Address. There were certain matters that spoke for themselves, and with respect to which they were all agreed. And, first of all, he might name that passage which had reference to the late national bereavement. He was sure the House would respond to everything that referred to the great man and the great mind that had recently been lost to them, with sincerity, cordially with a deep emotion of regret. But there were some matters of very deep interest to the country at large, and of which the country had been anxiously waiting for information, on which they had not, as he thought, been sufficiently informed on the present occasion. They had met together at a very unusual season, and there was hardly a man in the country who required to ask why they were so assembled. The facts were so notorious as to the causes why the last Parliament was dissolved, and why the present Parliament was now assembled, that it was hardly needful for him to refer to them; but, to establish the grounds on which he intended to complain of what he considered defective information in the Speech, it was necessary to mention the facts as they occurred, which took him back to the formation of the present Government. It was well known that when the Government acceded to power there was an avowal on the part of the Minister that he held opinions which he was not willing to abandon, and which he admitted were at variance with those held by the majority of the House of Commons. That Minister—he alluded to the First Minister of the Crown—admitted also the justice of the doctrine that it was not constitutional for any man to administer the Government whose opinions did not coincide with those of a majority of that House. But the Minister said—"Without abandoning my opinions, or doing violence to the constitution, I am ready to take the course that will be approved by all men under existing circumstances; I will not interfere with any policy that is now established; I will only advance the business of the House that is actually required; I will put the country to as little inconvenience as possible; but I will dissolve this Parliament, and ascertain with the least possible delay whether my opinions are in accordance with those of a new House of Commons." These were the facts as they occurred; and though this was not exactly the earliest moment at which the House might have been called together, yet they were met at an unusual season, in obedience to the declaration of the Minister, that he would call Parliament together to see whether or not they regarded him as a fit Minister to govern the country. Now, there were two ways in which the difficulty admitted by the Minister might be overcome. One was, that a majority of that House should coincide with him in opinion; the other was, that the Minister should declare some change of opinion on his own part. They were met that evening, and the country was expecting generally that they had so met, for the purpose of ascertaining whether the coincidence of opinion to which he had referred existed. They looked to the Speech from the Throne, and listened to the Mover and Seconder of the Address, to ascertain whether there was that coincidence between the country, between the majority of that House and the Government, and he complained that they were not informed. They had no information on the subject. There was a paragraph that referred to the subject on which the difference existed, namely, the commercial policy as it existed at present, and the change that had taken place of late years. That is the point of difference, or was the point of difference, between the Administration and the majority of the House of Commons. There was a reference in the Speech to recent legislation, and to the present condition of the people; but he could not find a distinct, clear, tangible avowal on the part of the Government that they were reconciled to that policy, or reconciled in a way that might give them an assurance that in one way or other they would not attempt to reverse or modify that policy, or make the House feel uneasy as to its permanency. To relieve himself from any charge of presumption in intruding thus early on the House, and in calling for explanations, he might state to the House—which contained many Members not in the last Parliament—that from the great interest he had taken for many years back in this question, on the first accession of the present Government to power, knowing the opinions they had propounded, and knowing the active part they had taken throughout the country in condemning the policy of the late Parliament, and the pledges they had given to reverse that policy, he, under the apprehension that they would use the enormous influence of the Government to carry out their views, and reverse or modify that policy, did put a notice on the books pledging Parliament to a continuance of its free-trade policy. He put that Motion on the paper at the request of the large party who for so many years had energetically and perseveringly attempted, and eventually succeeded, in changing the policy of the country; but, at the request, he might say, of the whole House he withdrew that notice, having consented to do so after the speech of the First Minister of the Crown, accepted and assented to by the Ministers in that House, in which the noble Earl the First Minister of the Crown avowed that he was in a minority on this subject, that he would not change his opinion, but that he would take the opinion of the country on the subject. On that ground he withdrew the notice. He anxiously awaited the assembling of a new Parliament, for the purpose of having this matter decided, because it was the promise, the assurance, of the Minister at that time that he would call an early Session for the purpose of deciding it. The enormous importance of this subject was admitted on all sides of the House. Gentlemen opposite said that unless our policy was reversed, inevitable ruin would follow; but those on his (Mr. Villiers') side affirmed that the prosperity of the country was conditional upon its continuance. The First Minister of the Crown, Lord Derby, said the question was of too great importance to be left unsettled, and that it must be decided finally; and everybody throughout the country knew that it was for this purpose they were assembled at the present unusual season. He rose now, not to depart from what he knew to be the custom, and what he believed to be the wish generally of the Members of that House—not to move an Amendment on the Address. That was not his purpose, but he must call attention to the fact that up to that moment, though they had heard the Speech from the Throne, and speeches from the Mover and Seconder of the Address, they did not know whether the Ministers of the Crown had abandoned their opinions on the subject of protection. And he asserted that in which he had the concurrence of the First Minister of the Crown, when he said that it was essential this subject should be decided. It could not, however, be decided by the language of the Address, for the language was vague; and, though he should be sorry to introduce angry feelings into this discussion, he could almost say that it was deceptive. There was an allusion to the prosperity of the industrious classes, but there was also a reference to injury inflicted on certain interests, and to some, relief to be afforded to the industry of the nation. Why, if the working classes were well off, what was the meaning of the statement that something required to be done to relieve the injury inflicted upon the industry of the country? Moreover, whether any injury was done at all was one of the great points at issue on this matter. The opinion advocated on this side of the House was, that protection was an unqualified mischief—that it was not only an enormous mischief to the community at large, bnt that there was no exception to its being mischievous, and that it was an evil to the interests said to be protected. Protection to the landed interest meant a monopoly in supplying the food of the country; and, therefore, to talk of injury done to industry, by destroying what was a monopoly of its food, was a statement which he did not like to characterise. It was an insult to the people of this country to talk of persons being injured by the removal of a mischief to them that had been inflicted on them for a period of thirty years. But the whole phraseology of this paragraph was indistinct, vague, and, in his opinion, intended to confuse. He thought it depended a little on the tone that was assumed by Gentlemen on the other side of the House, what interpretation might be put on it by his side. It was said there had been "recent legislation." That was a very curious expression. Why not speak plain English? Why not use language that would be intelligible? If great advantage had been derived to the working classes from the repeal of the Corn Laws, why not state it? If it is intended to be said that injury had been done to any class by repealing the Corn Laws, let that be made clear; at any rate clear, distinct, without question, and unequivocal, they (the Opposition) would have the decision of the House on the great subject for which they had met. He had only risen for the purpose of saying that he, for one, who took a great interest in this matter—and he believed others, who had taken a far more effective interest in it, concurred with him, and felt wholly dissatisfied with the passage in the Queen's Speech in which reference was made to the state of the country, and to the causes of its improved condition. They wanted to know distinctly the opinions of the Government on the great question which had been put in issue, namely, the policy of protection, or the policy of free trade; and they were disappointed, for there was no information on that head; he, therefore, without detaining the House farther, would give them distinct notice that he would submit to the House a Motion, putting the question on such clear and intelligible grounds that at least their fellow-countrymen out of the House should be left in no doubt with regard to the opinion of Parliament respecting it. This Motion he would bring forward on the 22nd of the present month, that being, he understood, the earliest convenient opportunity for the purpose, as certain arrangements were likely to engage the attention of Parliament previously.

Mr. HUME said, he had waited with great patience in hopes that, in accordance with the usual practice of the House, some individual on the opposite side would have risen to notice the speech of the hon. Gentleman who had just sat down. His hon. Friend had thrown out a challenge, but there seemed to be a want of spirit on the other side, and an indisposition to answer the statements which had been made. He thought the Queen's Speech very unsatisfactory to the Commons of England, who had been sent to their different contituencies in order that the people might decide on this important policy of free trade. He was, however, delighted to hear it acknowledged that that policy had been productive of such immense benefits to the working classes. He could recollect his opponents on this question declaring that the desire of the landed interest was not to benefit themselves, but to improve the condition of the agricultural labourers. They had then their wish, for the condition of the agricultural labourer was admitted by the hon. Gentleman opposite to be overflowing with abundance. Had not a single man on the opposite side the manliness to stand up, and to acknowledge that this arose from the repeal of the Corn Laws? This certainly was admitted by the seconder of the Address, who, indeed, was a free-trader, though the mover might not be one; for here, as at the elections, the same rule seemed to prevail, and the Ministerial supporters declared themselves, one for free trade, and another for protection. The House, however, ought to bear in mind the object for which it had met at this period of the year, and he considered Her Majesty most unfortunate in not having a Cabinet Council able to make up its mind on this subject after about nine months' deliberation. Why did Ministers not acknowledge in intelligible language that they were wrong, and declare themselves now ready to keep up a policy which had been productive of such overwhelming benefits to the working classes? He must express his great disappointment that the Ministers had not distinctly stated and defended the course of policy they intended to pursue. He liked a fair, upstanding fight, but not one beneath hedges, or carried on by equivocal phrases which he did not comprehend. He confessed that he himself did not always make his meaning as clear as it should be—it was not every man who had the talent to do that—and he sometimes made use of a wrong phrase: his object was, however, to make himself understood by the House; and if he had the writing of a Queen's Speech, he would endeavour to do what he thought it was the duty of the Government to do—make the Speech clear and intelligible to all classes. He therefore approved the notice of Motion which had been given by his hon. Friend (Mr. Villiers), for the country must have a decision on the question of free-trade, as suspense was creating a paralysis in the whole affairs of the nation. He knew, with respect to a great number of farmers, that their opinions on the policy of free-trade had changed, that they admitted the improvement which had taken place, and would be sorry to retrograde. But still there were others who thought that the Government were in possession of some secret to do them good, and that they were to be benefitted by some measures which the Government would introduce. A clear explanation and decision on this point therefore was absolutely necessary. He had also to complain of an omission in the Queen's Speech. The preceding Parliament had declared that certain taxes were most unjustly and unfairly levied (that was in his opinion a wise declaration), and it was a great neglect that all allusion to this topic was omitted in the Speech. Our whole system of taxation rested on no unintelligible basis, which any one taking a comprehensive view could readily explain. He claimed the right hon. Gentleman the Chancellor of the Exchequer as an advocate on his side with respect to this point, for his (Mr. Hume's) Motion, for which the right hon. Gentleman voted, limiting the income tax to one year, had not only in view the removal of an unjust portion of that tax, but also the affording an opportunity for revising the whole system of taxation, and considering whether the large burden of taxation could not be imposed in a much less oppressive manner. He did not understand why the Queen's Speech should not have alluded to the subject of the continuance of the income-tax, which was a matter equally important with the East India Committee; and he trusted the Government did not intend to refuse to go on with the inquiry to which he had alluded. There was another point to which he wished to make some reference. Many people had been so simple as to believe that a large measure of Parliamentary Reform would be proposed by the present Ministers, and that they would actually go much further than the noble Lord (Lord John Russell), or any of his Colleagues, were prepared to go. He was sorry to say that disappointment at the silence of the Queen's Speech on this subject was not great with him, though it might be with others. However, as the noble Earl at the head of the Government had declared that he took office to prevent all further democratic progress, why was not some distinct statement to this effect put in the Queen's Speech? The proceedings which had taken place during the late elections had led to a strong opinion that they were not altogether consistent with that freedom which should characterise them; and, while ready to save the privileges of other bodies, yet he must say that he was anxious to see our Constitution prevailing as a really representative one, and to see the people possessing the power and influence they ought to have in that House. He regretted the Government was not ready to come forward and make these reforms in time, thereby preventing the adoption of those hasty measures which were always taken when things were driven to the last. There was another important omission in the Speech. What had become of the clamorous outcry for the repeal of the Malt Tax and other taxes which were peculiarly odious to farmers? The silence of the Speech declared that there was no intention to repeal them. He regretted that the question of taxation was entirely omitted. In conclusion, he wished to tell hon. Gentlemen opposite, if they were not aware of it, that there was a strong opinion in the country that elections could not be conducted in future as they had been lately. He wished to see established a regular Representative Government; he wished to see popular power exercising that influence which it ought to have in the proceedings of that House, while at the same time the just privileges of the different classes of society were properly guarded; and he regretted that in a time of peace and quiet the Government did not seem prepared to come forward and propose those reforms which the country required. The question of free trade must soon be settled one way or other; and the time would then come for introducing other questions of great national importance.

Mr. WALPOLE: Sir, I did not rise, nor did any other Member of the Government rise, immediately after the observations which were made by the hon. Member for Wolverhampton (Mr. Villiers), because it was our duty to wait and see whether any Amendment to the Address was likely to be moved, before we gave any opinion in reply to the remarks which fell from that hon. Member. As, however, the hon. Gentleman himself, and also the hon. Gentleman who has just sat down (Mr. Hume), has not thought fit to move an Amendment, and as no one else has risen to do so, it appears at present unlikely that any Amendment will be moved; and I am therefore desirous of offering thus early a few remarks, with reference to the observations which the hon. Gentleman has made. Now, I certainly agree with him, that we are met together at an unusual season of the year, and for a special purpose. That purpoose unquestionably is, that the financial and commercial policy of this country shall be finally settled and declared. The hon. Gentleman complains that in the Address there is a certain passage referring to that subject in terms which are ambiguous; and I think he called it evasive and deceptive. Sir, I can assure the hon. Gentleman that no evasion and no deception was intended by that paragraph; but it has been worded carefully in that way—which makes it coincide with the opinion entertained by the hon. Gentleman himself—it has been worded carefully in that way to prevent at this moment what might possibly be a warm and heated discussion, and so as to avoid the necessity of any Amendment being moved to the Address either on this or on that side of the House. By taking this course we have only acted in strict conformity with the usual custom that is observed on these occasions. The custom is to avoid, if possible, the necessity for any Amendment. I think the hon. Gentleman himself admitted that such was the custom. I believe it is recognised to be a good custom—and certainly we wished as far as possible that this custom should not be departed from on the present occasion—but we are prepared, if the hon. Gentleman opposite desire it, to take the discussion at the present moment. The hon. Member for Wolverhampton went on to remark, and so also did the hon. Gentleman who has just sat down, that Her Majesty's Ministers ought to have declared their policy in the Queen's Speech, and that they ought also at the same time to have been prepared with the measures which they intend to propose. Now, I tell the hon. Gentleman that we are prepared with all those measures; and I tell him that we intend, and have always intended, to take the earliest opportunity of submitting those measures to the consideration of the House. But there are circumstances with reference to our present meeting which have certainly made it unadvisable that that business should be taken in hand until the funeral of the Duke of Wellington shall have taken place. As soon as that tribute of the nation is paid to the greatest of its heroes, my right hon. Friend the Chancellor of the Exchequer will bring before the House the views and opinions which the Government entertain of the financial and commercial policy which ought to be established and perpetuated in this country. In the mean time I must take the liberty of adding that there is sufficient in the Speech from the Throne, and in the Address in answer to it, for everybody to draw this inference, that we are not going to propose to reverse the recent legislation which has led to those improvements in the condition of the industrial classes of the community to which the Speech so plainly refers. More than this, I think, the House will not expect me to say, because it would, in fact, be expecting me to announce the different measures which my right hon. Friend will, on a future occasion, have to bring forward, and the views which we take with reference to that subject. I therefore forbear from saying more. But I thought it right to make this declaration in the first instance—for it is a declaration by which the Government intend to abide —and I do say that those measures which the Government think it necessary to introduce will be brought forward on the earliest opportunity.

LORD JOHN RUSSELL: Sir, it appears to me that on an occasion when we have to consider an Address to the Crown, which begins with a paragraph in which we are called upon to condole with Her Majesty on the loss of that great man the late Duke of Wellington, we should not be obliged to enter into any lengthened debate upon topics on which the House is divided, and still less to be compelled to take a division on these topics. In respect to the first part of the Address, I shall not add anything to what has been said by the noble Lord and the hon. Gentleman who moved and seconded the Address. I feel that upon the subject of the late Duke of Wellington eulogy is superfluous. It remains for history to record his great genius. It remains for us, unfortunately—for Her Majesty and for Her Majesty's Ministers—for the House of Lords and for the country at large, to deplore the loss of that eminent man, who was inspired by the purest principles of loyalty and the most ardent patriotism, and who had earned the undying love of his country. One only task remains to us—namely, in conformity with the invitation we have received from the Crown, to show that we are not an ungrateful people, and that we duly appreciate the services rendered to the country by that illustrious man. Passing from that subject, I am glad to find that the Ministers can congratulate the country on the readiness with which the people had come forward, to the amount, as stated by the noble Lord who moved the Address, of 30,000 to serve in the militia; and I trust that Her Majesty's hopes will not be disappointed, but that this force will prove an effective aid to Her Majesty's regular troops. With respect to the other measures deemed necessary for the defence of this country, I can assure Her Majesty's Ministers that I shall be prepared to give a favourable consideration to the subject; and I hope that such measures as Her Majesty's Ministers may think advisable to effect that object, in which we all concur, may be from time to time submitted to the House. I know not that there is any other topic in the Speech to which I need now particularly address myself; but I must say a few words in regard to that paragraph in the Speech which refers to the commercial policy of late years. I must say I participate in the diappointment expressed by the hon. Member for Wolverhampton (Mr. C. Villiers) in the vagueness of the language here used, and I heartily concur in the course which that hon. Member has proposed to take. It seems to me that there were two courses which would have been plain and clear for the First Lord of the Treasury and his Colleagues to have adopted—the one was to maintain the opinions which from 1846 to the present time—or, at least, until February last, when he took office—Lord Derby constantly expressed, and which he expressed with such energy and earnestness that he declared that any departure from the principle of protection to which he adhered, would be a departure from his own consistency, and involve the loss of personal respect. That would have been one course. The other was, that finding he had been mistaken in those views, that the country had prospered owing to the operation of measures which he thought would be ruinous to it, and that the beneficial effects of those measures were acknowledged throughout the country—finding this, he could have manfully declared his adoption of these measures, and his readiness to act upon their principles for the future. Sir, I conceive that, whether he had adopted the one or the other of those courses, the House and the country would have been prepared to form their judgment upon such a declaration; but instead of either of these courses, we have a continuance of that perplexity, of that ambiguity, of that doubt, which for the last nine months has filled men's minds, and made it difficult to know what were the real intentions of Her Majesty's Ministers with regard to our future commercial policy. If one Minister has appeared to be in favour of free trade, we have immediately had the declaration from another that the principles of protection were not to be abandoned. If a Secretary of State has spoken at the hustings, although he may not have said the principles of protection were to be resumed, yet, in speaking of the state of crime, or some other subject, he has endeavoured to throw out some slur by way of depreciating the system of free trade, and thereby induce the country to believe that it was not intended to depart from the principles of protection. And even now, continuing to the end, we have in this Address some parts of the sentences favourable to free trade; we have other parts of the sentences favourable to the theory of protection; and, to complete the whole, the noble Lord who moved the Address was himself one of the adherents of the protective system, whilst the hon. Gentleman who seconded him, spoke out boldly, and declared himself to be in favour of free trade. Well, Sir, if such is the ambiguity, then I say it is full time that we should come to a settlement of this question—that, in the words of the right hon. Gentleman who last spoke (Mr. Walpole), the financial and commercial policy of this country should be finally settled and decided. Well, let us have some declaration which shall be a point of departure for the Ministers of the Crown by which they can regulate their future course. The country has been appealed to—the result of that appeal is known —it is for you then to declare what are the opinions you now entertain upon this great subject. And when I say "this great subject," I am reminded that there is one in this strange and doubtful sentence that has not been alluded to. Consider what has been done within the last ten years. In the first place you have had the whole system of Corn Laws, upon which the country had reposed for a considerable time, totally repealed. You have adopted a tariff by which many duties which were excessive and exorbitant in amount, have been reduced within moderate limits. In short, during the whole of that period your system of taxation has been subjected to the process of revision. Gentlemen talk of a "revision of taxation," but they seem to forget that a revision of taxation has been going on from the time of Sir Robert Peel's assumption of the reins of power in 1841. And it has operated in this manner—that whilst a tax which has been reduced left for a time a void in the revenue, in a very short time that void was filled up by the natural buoyancy of the industry of the country; you were then enabled to abolish or reduce other taxes, and thus continue a process by which the industry of the country was relieved and stimulated. Let us add to this that the differential duties on sugar have been equalised, and the prohibition—for it was a prohibition, although it was not so in law—of foreign sugar has entirely ceased. In that manner alone the people have consumed their 200,000 tons of sugar at a price upwards of 5,000,000*l.* less than they did when these duties existed, and the consumption of sugar has so increased that, in a very few years, it will be double what it was in 1849. Add to this also that the Navigation Laws have been repealed; and thus I have enumerated a whole system, not only, I will say, of great importance, but as great a change of policy, adopted by a great country, as is recorded in the history of the world—a change of policy than which nothing, since the Revolution of 1688, has been more important in its effects, and that, be it observed, not only in its effects on this country, but, as I trust, hereafter, in its effects upon the whole system of commercial policy of all civilised nations. Although I was not one of those who were so sanguine as to expect that immediately we declared by a majority in this House that we adopted free trade and abjured protection, all the nations of the world would at once follow our example, yet, on the other hand, it is my confident belief that if this country continues to profit under that system, and if the Government of this country declares that it is satisfied with its importance and with its consequences, and that they mean to persevere in it, other nations will, from free discussion and debate, come to the same conclusion you have arrived at, and thus will be derived not only a great increase of wealth and trade, but great increased security for the peace and the harmony of the world. If such, then, is the importance of this system, if such is its gravity, and if, on the other hand, many persons still maintain that it is a system which is entirely ruinous, is it enough to say that it is one of the causes, put in with a parcel of nameless other causes, from which the industrious classes have received benefit? I affirm that we ought not to evade the question in this way; and that, however much we could wish to avoid a division to-night, it is necessary that the House of Commons should give its verdict upon that question. The right hon. Gentleman (Mr. Walpole) says, that there is no intention to revert to the policy which prevailed previous to the year 1846. I was very glad to hear that declaration from such authority. But there are certain words in this paragraph in the Address which look like giving artificial prop, and creating, therefore, artificial prices, which is only the principle of protection disguised in another shape. Therefore, for this reason alone, I think it is necessary that we should have something clear and decided, and that we should not allow ourselves to be enveloped in that mist in which the right hon. Gentleman the Chancellor of the Exchequer, like some of the goddesses of old, loves to conceal himself. With regard to another sentence in the Address—that relating to Ireland—I am glad to see that it contains recommendations of a liberal policy towards that country; but in the previous part of the same paragraph there are words to which I own I feel myself unable to attach any precise meaning. I allude to the reference which is there made to "an unhappy spirit of insubordination and turbulence." That there was a spirit of insubordination and turbulence during the general election in Ireland cannot certainly be denied; but that there is any spirit of insubordination and turbulence at present existing in Ireland, is a statement to which I am not prepared to give my assent. With due execution of the ordinary laws of the countr y,I believe that the state of Ireland may be considered as a state of tranquillity; and I must say, I think that that country having suffered so severely from the famine of 1847, is now about in some measure to recover, and that there are symptoms which encourage us to hope that at length the labourers of Ireland will obtain that reward for their exertions which has hitherto, up to the present time, been so inadequate to the labours of that class of the people. With regard to the reports of the Commissioners appointed to inquire into the Universities of Oxford and Cambridge, I am rejoiced to find that those Commissions, which were stigmatised by the noble Lord at the head of the Government as illegal Commissions, are now acknowledged as productive of fruit; that it is proposed that their recommendations, instead of being cast aside as the productions of an illegal body, are to be referred to the Universities themselves, and that we are to be asked to pass laws to enable those Universities to carry into effect improvements which cannot now be legally adopted. Whether or not the measures contemplated on this subject will be sufficient, I, of course, cannot presume to say, but I am glad to find that the attention of Her Majesty's Ministers has been directed to the subject. I am sure there is nothing more important at the present time than the whole question of education, beginning with the education of the higher classes at Oxford and Cambridge; considering likewise the education of the middle classes, and their means of obtaining those scientific aids which are often so useful to their progress in life; and comprehending also the education of the whole of the poorer classes of the country. Upon one part of this subject, though it is but a part—the advancement of the fine arts and practical science—I am much rejoiced to find that it is proposed to extend the means by which those who wish to acquire information in these branches of knowledge may attend schools for this purpose. I am likewise glad to find that, on the subject of secondary punishments, a hope is expressed in the Speech from the Throne that measures will be adopted by which transportation to Van Diemen's Land may at no remote period be altogether discontinued. There are two circumstances which have undoubtedly tended to give a new aspect to that subject—the one is, that we have given popular institutions to the Australian Colonies; the other is, the recent discoveries of gold in certain parts of those

Colonies. It is quite obvious that these two circumstances make it necessary to revise the whole subject; and I am very glad the right hon. Gentleman the Secretary for the Colonies (Sir J. Pakington), to whom I took the liberty of speaking upon this subject soon after his entrance on office, has come to a conclusion which appears to me a wise one. I hope, however, it is not intended to confine the operation of the contemplated measure to Van Diemen's Land alone. I think the whole of the Australian Colonies ought to be relieved in future from the reception of convicts under sentence of transportation from this country. There are other subjects connected with our penal laws which also seem to me to require attention: but to these I will not further allude on the present occasion. The subject of legal reform, I see, occupies the attention of Her Majesty's Government, and upon this, too, measures are to be introduced. Upon the whole, then, I am rejoiced to find that, with the exception, certainly, of that great question of our commercial policy—the great and important question as between the principles of free trade and the principles of protection—there is nothing in the Speech from the Throne, or in the Address in reply to that Speech, which needs more than the slight remarks I have now made; and I trust that, when we have adopted a policy on that subject, we shall be able, in the present Parliament, to pass measures which will be of permanent advantage to the country at large.

The CHANCELLOR OF THE EXCHEQUER: Sir, I cannot help fancying that if the only paragraph of which the noble Lord disapproves in the Answer to Her Majesty's most gracious Speech from the Throne were really so evasive as some hon. Gentlemen have described it to be, that an Amendment to the Address would at once have been moved. I do not think that the constitutional delicacy of my hon. Friend opposite (Mr. Hume) would have deterred him from taking a course which I doubt not his well-stored memory and his ample experience would have furnished him with sufficient precedents for adopting. I cannot say that I agree with the noble Lord or his friends in the version they have given of this paragraph which they describe as evasive. It appears to me to be one perfectly adapted to the circumstances under which we meet to-day. I think the paragraph is framed in a manner which can leave no mistake in any impartial mind as to the intentions of Her Majesty's Ministers; for the only point which is laid down positively in this paragraph, respecting which there can be no evasion, is the description of the principle upon which the commercial system of this country is recognised to be established by Her Majesty's Government, and that is the principle of "unrestricted competition." That is the distinct declaration in this paragraph, which is described as evasive on this particular topic. It is very true that Her Majesty's Government are of opinion that the legislation which has gradually produced that system of "unrestricted competition" has in its operation caused injury to certain classes in this country; and the noble Lord says that is a protectionist declaration. But I recollect having read an address of the noble Lord's which was published just before the dissolution of the late Parliament—a letter addressed by the noble Lord to the constituency of the greatest commercial city in the kingdom—and there I find that the merchants and shipowners of London were reminded that they were subjected to great burdens and unjust restrictions—burdens and restrictions that could only be considered such by the action of recent legislation. Therefore, the noble Lord was then of opinion, when he was a candidate for the City, that it was quite possible to maintain and preserve our commercial system upon a principle of "unrestricted competition," and yet remove those burdens and those restrictions which one great interest was suffering under, and which suffering, by his own acknowledgment, was virtually occasioned by recent legislation. Was that a protectionist declaration of the noble Lord? Was that a piece of protection, as he has described a similar expression in the paragraph in Her Majesty's Speech? Well, I myself have recently had representations made to me by bodies of merchants and shipowners—gentlemen of extremely liberal opinions upon all subjects connected with the commerce of the country, some of them sitting at this moment on the side of this House opposite Her Majesty's Government; and certainly as far as I could collect their opinions—as the representatives of one of the great interests of the country—they would be dissatisfied if the restrictions under which they suffer, and the burdens they have to bear, are not taken into consideration by any body of men, of any side, who may happen to form the Government of the day. Well, is that a desire to abrogate the laws which have recently been carried into effect as the foundation of our commercial system? Is that a protectionist movement? I ask the House whether the noble Lord has any further foundation for the charge he has made of evasion than the allusion to those suffering interests which he has himself endorsed by his own example and his own words, when a candidate for the City, and of which many hon. Gentlemen sitting in this House, on the other side, are themselves the principal patrons and promoters? Sir, I shall not on the present occasion pursue this topic further—the occasion will soon arise when we may enter into those questions. All I can say is, that it is the intention of Her Majesty's Government to take such claims—such and similar claims—into their consideration, to endeavour to mitigate the injury which has been occasioned by recent legislation in the particular instance to which I have referred, and similar ones; and we believe that we can produce measures which may do all that is necessary in that respect, or all that can reasonably be required, without in any way departing from that principle of "unrestricted competition," which we recognise as the principle of our commercial legislation. Then the noble Lord has found it very convenient to adopt the course of describing himself and his friends as the representatives of a new and enlightened system of commercial policy, which has been invariably and bigotedly opposed by hon. Gentlemen on this side of the House. [*Cheers.*] Hon. Gentlemen, though they have changed sides, have not lost one of their weaknesses—an amiable one, I confess—which is, to cheer too soon. The noble Lord has given us an emblazoned catalogue of the great feats of that liberal commercial party of which he is the acknowledged chief; free trade in corn, free trade in sugar, repeal of the navigation laws — these are the three enduring pyramids which have been created by the energy and the enterprise of the party which the noble Lord leads, and the different individuals of the different sections who are associated with the noble Lord. But if we look historically into the question—and I am only in self-defence making these observations, for I had thought from the tone of the debate that we had already terminated it—I cannot help remembering this, that the Prime Minister who carried free trade in corn, was himself opposed to free trade in sugar;

and then, that the Prime Minister who followed him, and who was in favour of free trade in sugar, was not at all disposed to free trade in ships—that, in fact, that question was not taken up by the Government, but that it was an independent Committee of this House, moved by an independent Member of this House, which placed this question in a prominent position—that two Sessions were allowed to pass away before the noble Lord consented to the abrogation of the navigation laws; and when they were abrogated they were abrogated in so loose and unsatisfactory a manner that the noble Lord, at a subsequent period, as I have already reminded the House, when he was a candidate for the suffrages of the citizens of London, confessed that the shipping interest, though deprived by recent legislation of the protection it had enjoyed, had been left with the burdens and restrictions for which that protection was a compensation. Now, Sir, neither myself, nor any of my colleagues, have any intention to propose any policy which will give artificial prices, or attempt to give what an hon. Gentleman on the other side has mentioned as compensation for losses which have been occasioned by changes in the legislation which heretofore regulated the commerce of this country. But what we do say, and say in a manner as distinct as I can succeed in expressing it, with I hope none of those cloudy words for which the noble Lord has given me credit, is, that we think these commercial changes have been effected without at the same time effecting necessary and corresponding changes in our financial system. And, notwithstanding what the noble Lord has asserted, and notwithstanding the sympathising cheer which we received from one of his late colleagues, who is certainly well acquainted with that branch of the subject—I say, it is our intention, believing that a proper revision of our taxation has not taken place—it is our intention to place before the House a policy which will make our financial system more in harmony with our commercial system; and if the noble Lord calls that protection, why the noble Lord will not, I think, be successful in establishing his position when he favours the House with his opinions on the propositions of Her Majesty's Government. My hon. Friend the Member for Montrose (Mr. Hume), in that friendly way in which he sometimes administers a castigation, even to the Government he patronises, has made a most weighty accusation against Her Majesty's Government on the present occasion. The "evasive paragraph," respecting free trade, which my hon. Friend caught up from the hon. Member for Wolverhampton (Mr. Villiers), appears to have really impressed him with a very little amount of importance. The whole mind of my hon. Friend seems to have been engrossed with the income tax. My hon. Friend says there ought to have been a paragraph inserted in the Speech, announcing that there was to be a continuation of the Committee of Inquiry into the Income and Property Tax. Why, we have already had that Committee sitting for two years inquiring into the subject. My hon. Friend appears to be a perfect glutton in this inquiry. I admit there is not a paragraph with regard to the Committee on the Income and Property Tax in the Speech, and for this reason—that Her Majesty's Ministers have made up their minds upon the subject—that subject which seems still to vex the mind of my hon. Friend—Her Majesty's Ministers have arrived at certain conclusions on that subject. They do not, therefore, think it necessary to investigate it any further, and they are perfectly prepared to bring those conclusions immediately under the consideration of the House of Commons. My right hon. Friend the Home Secretary has adverted to the reasons why we have not to-day fixed the exact hour at which we shall solicit the attention of the House to these questions. There are reasons which have prevented us—reasons which really render for a few days the arrangement of business in this House less clear and evident than they would have been under ordinary circumstances; but I believe, if I am not misinformed, my noble Colleague at the head of the Government has already announced in another place that I shall, on the part of Her Majesty's Government, take the earliest day of which we can avail ourselves to lay our entire policy before the House of Commons and the Parliament, in order that it may be submitted to their solemn and serious consideration, and that the verdict of Parliament and of the country may be obtained upon it. The Motion of which the hon. Member for Wolverhampton has given notice, would be in reality a Motion almost of inquiry into the state of the country. Certainly I have no wish to place any obstacle in the way of the Motion of the hon. Gentleman; but if the right hon. Gentleman feels it to be his duty to persevere in it, let him do so by all means; but I do not think that with my utmost exertions to promote the convenience of the House, it would be possible for me to name a Government day for that or any other purpose earlier than the 22nd inst. If the right hon. Gentleman think fit to persevere in the course he has proposed to himself, it is of course competent for him to do so; but he will forgive me for saying that it occurs to me that it will be much fairer to the Government, and much more satisfactory to the country if, before taking any step of the aggressive character he contemplates, he were to permit the Government an opportunity of laying their policy before the country. The debate to which the Motion of the right hon. Gentleman would give rise, must necessarily resemble in character and tendency that which would arise in this House on occasion of our submitting our policy to the consideration of Parliament; and it appears to me that the more convenient, the fairer, and in all respects the better course, would be to blend the discussions together, and not allow the energies of the House, and of the country, to be wasted and frittered away by two debates—one of them—that proposed by the hon. Gentleman—certainly of a less practical character than that which I shall have the honour of bringing forward. The hon. Gentleman can easily introduce his Motion by way of Amendment on the proposition which it is my intention to submit on the part of Her Majesty's Government; and if he should be of opinion that the views and intentions of Her Majesty's Government are not such as are likely to be satisfactory to himself and his friends—if, in fact, he should be of opinion that our policy is one which is not calculated to promote the welfare and prosperity of the country—nothing can be more easy, nothing more conveniently practicable, than that he should bring forward any other policy which he may deem preferable, in the shape of an Amendment on the propositions which we intend to submit. It will then be competent for the House, by one discussion, as long and as elaborate as to its wisdom may seem fitting, to decide between the plan of the Government and that of the hon. Gentleman, and to come to a distinct decision upon all the branches of the question. Nothing can be more remote from my intention than a desire to dictate to the hon. Gentleman—I trust that he will not misunderstand my feelings in making this suggestion—but I confidently appeal to his own sense of propriety, and to that of the House, whether it would not be the more convenient and in all respects the more desirable course, that we should avail ourselves of an early opportunity to explain our policy, and that there then should be one discussion, and one only, on a subject which so closely concerns, not only the present condition of the country, but the future and permanent principles on which the financial and commercial systems of this country are to be established. I cannot at this moment fix a day—but I should imagine that between this time and Friday the 26th instant, there would be sufficient interval to enable Members not now in town to attend here without inconvenience; and if so, I would propose that upon that day I should take occasion, on the part of the Government, to call the attention of the House to our present financial condition, so that I may then explain to the House the measures which, in our opinion, ought to be adopted in the present position of the country. I will not trespass on the attention of the House with any general observations on the Speech from the Throne. The noble Lord the Member for London has himself admitted that there is only one paragraph in it which merits his disapproval, and I am not without hope that I have satisfied the House that even in the case of that one paragraph his disapproval was not well grounded. If the paragraph in question had been of the evasive character which he describes, I cannot think that the House would have acquiesced with such alacrity in the suggestion that there should be no Amendment on the Address. More I will not say upon the present occasion; but it is my intention to avail myself of an early opportunity to vindicate the course pursued by Her Majesty's Government, and to lay before the country, with a distinctness not to be mistaken, the policy which, in our opinion, ought to be adopted in the present juncture of affairs. In conclusion I can only assure the House that no one can be more anxious to meet this great controversy than the individual who has now the honour to address them.

Mr. GLADSTONE: Sir, so much has been said, and said so well, on the solemn subject of the first paragraph in the gracious Speech from the Throne, that I shall do no more than express my entire concurrence with those who have preceded me, and to state how high a privilege I feel it to have been permitted to be one of those who, on the part of the people, carried to the foot of the Throne their tribute of admiration and sorrow for the illustrious man we have lost. I will venture to repeat the sentiments expressed in another place, and upon another occasion, by the noble Lord the Member for the City of London, and say—

> "While many of the actions of his life—while many of the qualities which he possessed are unattainable by others, there are lessons which we may all derive from the life and actions of that illustrious man. It may never be given to another subject of the British Crown to perform services so brilliant as he performed; it may never be given to another man to hold the sword which was to gain independence for Europe, to rally the nations around it, and while England saved herself by her constancy to save Europe by her example; it may never be given to another man, after having attained such eminence, after an unexampled series of victories, to show equal moderation in peace as he had shown greatness in war, and to devote the remainder of his life to the cause of internal and external peace for that country which he had so served; it may never be given to another man to have equal authority, both with the Sovereign he served, and with the Senate of which he was to the end a venerated member; it may never be given to another man, after such a career, to preserve even to the last the full possession of those great faculties with which he was endowed, and to carry on the services of one of the most important departments of the State with unexampled regularity and success, even to the latest day of his life. These are circumstances, these are qualities which may never again occur in the history of this country. But there are qualities which the Duke of Wellington displayed of which we may all act in humble imitation:—that sincere and unceasing devotion to our country; that honest and upright determination to act for the benefit of the country on every occasion; that devoted loyalty which, while it made him ever anxious to serve the Crown, never induced him to conceal from the Sovereign that which he believed to be the truth; that devotedness in the constant performance of his duty; that temperance of his life, which enabled him at all times to give his mind and his faculties to the services which he was called upon to perform; that regular, consistent, and unceasing piety by which he was distinguished at all times in his life,—these are qualities that are attainable by others, and these are qualities which should not be lost as an example."

The noble Member for London has adverted briefly to a subject on which, as a Member for one of our Universities, I may be forgiven for offering a single sentence. I am one of many Gentlemen, then in the House, who considered that the noble Lord was venturing upon a stretch of power in the adoption of an inquiry into our Universities; but, the Commissions having been appointed, I do not think that I am guilty of inconsistency in admitting that the results of those inquiries must be considered on their merits, wholly irrespective of abstract discussions, or practical discussions, as to the strictly constitutional nature of the tribunal before which those inquiries were instituted. I now come to the main question—to the question important above all others, and it appears to me that much has been gained for that question by the discussion arising out of the speech of the hon. Member for Wolverhampton (Mr. C. Villiers); and I, for one, tender him my warm thanks for that speech. I do not doubt that it was previously the intention of the Government to announce to the House what has, since that speech, been declared by two prominent Members of the Government, but at the same time it must be confessed that until just now we were left quite in the dark as to those intentions. We have before us a paragraph of the Speech from the Throne, and of the Address in answer to that Speech, in which the important—I must say, considering all the circumstances, the all-important—subject of our commercial policy, is touched, and that paragraph, I must confess, excited in my mind, as in the minds of others who have spoken, dissatisfaction and disappointment. I thought, and I still think, admitting with all respect the reasons alleged in connexion with the solemnities of the next week, that, considering we are now upon the winding up of a great controversy which has had its conspicuous place in the politics of the day, and which will have its place also in the pages of our history—that, considering this question is the final issue on which the policy of the country has been placed, and that the Speech from the Throne is the great constitutional occasion for recognising the great object and principles of the Government—I say I think, bearing all these things in mind, Her Majesty's Ministers would have acted wisely, would have done no more than their duty, had they given us in the course of the Speech a declaration on the subject of their commercial policy which would have placed for ever beyond dispute the intention of the party which now holds the reins of Government. I am confirmed in this impression by the defence which has been set up by the right hon. Gentleman the Chancellor of the Exchequer; for it appears to me that the Government, in defending that paragraph, defend it on two principles, which are not only not in unison, but which are flatly contradictory to one another. The right hon. Secretary of State for the Home Department says that this was a paragraph suitable for the occasion—suitable for the occasion!—with the view—with the especial view—of obviating the necessity for an Amendment, either on that side of the House or on this. Well, then, if this paragraph was devised simply to obviate the necessity for an Amendment on either side of the House, by declaring nothing that could raise the question of protection, I want to know what becomes of the other defence of the paragraph which is in the mouth of the right hon. Chancellor of the Exchequer, that it is not ambiguous, that we may easily draw one inference from it, namely, that it is not the intention of the Government to revive the policy of protection? Nay, the right hon. Gentleman goes much further, for he says there is but one theme which is categorically declared in the Speech, and this is, that unrestricted competition shall from this time forward be the rule of the commercial policy of this country. But, if unrestricted competition is to be the rule, and that is categorically declared in the Speech—the only thing categorically declared there—I want to know what becomes of all the tenderness suggested by the other right hon. Gentleman for the scruples of those who still adhere to protection? Supposing the Government prepared to adhere to the proposition so categorically declared, that unrestricted competition is to be the rule of our commercial policy, if these Gentlemen do not stick at that, what in the world will they afterwards make a difficulty of? Here, then, we are called upon to accept two defences of the paragraph; but, in my opinion, I am bound to adopt only one of two defences which are so clearly irreconcilable with each other, and the first defence, good or otherwise in itself, may be the best of the two. But the question for us is, do we know the special purpose for which the people have returned us to Parliament; and are we prepared to say that this purpose shall not be fulfilled? Ambiguous the paragraph undoubtedly is. The great question to which so much of our recent legislation had been applied, is left in greater uncertainty since the paragraph than before; that great and all-important topic, instead of being put forward prominently into the light of this paragraph, is drawn into the shade. The right hon. Chancellor of the Exchequer says that any Motion with which he may be met by the hon. Member for Wolverhampton, must necessarily partake of the nature of an abstract proposition. I admire the extreme generosity of the right hon. Gentleman, who, having announced—and most properly announced, and I give him full credit for it—his intention of immediately submitting his commercial and financial views and plans to the House, recommends to the hon. Member for Wolverhampton to meet his measure, of a practical and financial character, with the proposal of an abstract resolution: but I hope we shall not be drawn away from the purpose which was essentially contemplated by the constituencies of the country in returning us to this House, and by Her Majesty in dissolving the Parliament, by any abstract propositions whatever. If you ask me what the people want, it is the full, final, and solemn sanction by Parliament of the system of free trade. They want that the party which is now responsible for the conduct of public affairs, shall, once for all, declare its views on this subject. When we consider that for six years past the controversy of free trade has not only entered into but disturbed the whole political action of our representative system, when we consider the uncertainty connected with it, when we consider the maturity which public opinion has now attained with regard to the controversy—it is not too much to ask that now at least, after so much waste of the public time, after Ministries overturned, and parties disorganised, they should now make up their minds on the issue defined by the First Minister of the Crown in February, 1851, and place the question of free trade high and dry on the shore, where the tide of political party strife could no longer reach it. Not that I think there is any doubt about the permanency of any of the great measures which have been adopted by Parliament in the sense of free-trade system. My firm belief is, and has ever been, that since July, 1846, the return of the Corn Laws has been, not a mere difficulty, but an impossibility; and I have ever thought it a great misfortune for the country that a great party in this House, containing many men of the highest honour and the highest intelligence—a party representing some of the most valuable and essential elements of which a constitutional system is rightly framed—should stand together on the basis of objects, the attainment of which has become beyond the power of man to carry. I feel that this is an evil which should be put an end to on the one hand, and that, on the other, the people should understand what is the measure of doctrine of protection put forward at a time when it is just as impossible to restore protection as to repeal the Bill of Rights, or to reconstitute the Heptarchy. We want no abstract Motions, such as the right hon. Gentleman the Chancellor of the Exchequer appears to desire, to establish this proposition. We want to set the public mind at ease by the solemn and uniform acceptance on the part of this House of the measures of free trade which have been already adopted by Parliament, and likewise by a declaration that future measures bearing on trade and bearing on finance shall be framed in consistency with the principles that have guided our recent legislation on those subjects. I do not call such a declaration an abstract resolution. I call it laying down a rule of conduct; and it is a rule of conduct which, in my opinion, the interests of this country require should at once be established beyond the reach of further doubt or cavil. Is it unreasonable that we should be anxious on this subject? I think not, for we cannot forget the composition of the Government. We cannot forget the declaration which have been made by various members of that Government as to protection and free trade. I will go at once to the case of my right hon. Friend opposite, the man who, of all others, has shown the greatest courage and maintained the greatest consistency in adhering to what he thinks right principles, I mean my right hon. Friend the Member for Lincolnshire (Mr. Christopher). Did my right hon. Friend hear the speech of the Chancellor of the Exchequer, in which that right hon. Gentleman said that there was one thing, at least, categorically declared in the Speech from the Throne, and that this was, that unrestricted competition was from henseforth to be the rule of commercial policy of this country? If he heard that speech, what construction does he put upon the exposition of the right hon. Gentleman? I will advert to the recent declaration of my right hon. Friend to his constituents, and ask, what we are to consider the force and effect of that declaration, not taking merely its words and expressions, but its whole spirit and tenor? They cannot be mistaken. My right hon. Friend says—"I am here to maintain unchanged all those opinions of financial and commercial policy which for the last twenty-five years I have maintained." Do not let my right hon. Friend think that I should represent it as an offence for a man not to adhere pertinaciously to an opinion. I am in no condition, I have no right, to taunt any man for a change of opinion. Like other men, I inherited in respect to this question the traditions of a party. When I came to examine these traditions for myself, I found them give way under me, and I abandoned them. But my right hon. Friend says, he adheres to the opinions he has held for the last twenty-five years; and what one desires to know is, how, as a Member of the Government, he receives the declaration now made by the right hon. Chancellor of the Exchequer. I ask nothing from the Government which is dishonourable to them, personally or politically. I want no professions of internal conversion to free-trade principles. I ask no man's abstract opinions about protection, which is now a matter of past history, any more than I want to know his opinion about Jacobitism; but what I want is this, that those who now hold power in this country—who exercise the influence which belongs to the administration of public affairs—who represent this great country in the face of foreign Powers and of the world—I ask that these persons shall be persons who have definitively, unequivocally, and finally abandoned the idea of proposing a return to protective policy. More I do not feel bound to ask; with less, it seems to me, this House cannot honourably be content. But I am sure my right hon. Friend will feel that we are placed in a position of difficulty, if we are to understand that the Government is formed on a principle under which it is competent to the leader of the House of Commons to say that unrestricted competition is from henceforward to be the rule of our commercial policy, while one of his colleagues, sitting by his side, is to tell us, as he told his constituents elsewhere, that he was a Member of the Government, in order to defend there the principles he had always advocated out of office, and to use his influence to procure the reincorporation of those principles into our commercial code. Sir, my hope is, that whatever decision may be come to by the hon. Member for Wolverhampton as to the resolution to which he has adverted—whether he shall think, or whether he shall not think, that the necessity for that resolution is at the present moment obviated by the declaration of the Government, that their propositions will be immediately laid before the country—whatever decision he may come to in that respect, I trust that this House will never, in the discussion of secondary and incidental questions—questions of the form, and time, and manner of proceeding—lose sight of the great end we have in view; and that, whether before the Motion of the right hon. Gentleman the Chancellor of the Exchequer, or after it, we reserve to ourselves the liberty of putting into clear words, at a future day, the principles we entertain in case his measures should not afford a sufficiently practical exposition of our sentiments; whatever decision may be come to, or whatever course may be followed, on any question of this nature, I trust that this House will recollect (and that, too, wholly without reference to party combination, which, important as it is, is far less important in my mind than the great issue which we are now discussing) that the country will justly expect of us that we should remember the peculiar circumstances to which we owe our birth, and the especial object for which we have been sent here. I trust that we shall rest content with nothing that is open to argument, and construction, and inference, this way and that way; that we shall not rest content with a paragraph which, instead of settling the question, itself stands in need of glosses and interpretation; but that we shall have it stated in plain English, intelligible to every class of the community, beyond the reach of cavil or dispute, not at the present moment only, but at other times which may come, when a portion of this House might find it convenient to revive the question of protection, that we shall have it stated in language, I say, which shall for the present time, and shall for all time, give an assurance to the people of England that there is no party in the State prepared to defraud or to deprive them of the inestimable boon which has by the legislation of late years been conferred upon them; which boon, so conferred upon them, has not only conduced with other causes, but which has been the main and great cause of the present prosperity of the country, and which, in increasing the prosperity of the country, has spread abroad a satisfaction, a contentment, a confidence in the spirit of Parliament, a firm attachment to our institutions, and has strengthened the foundations of that Throne from which Her Majesty to-day addressed us.

MR. NEWDEGATE begged to tell the right hon. Gentleman (Mr. Gladstone), in reply to his question, that, as an independent Member of that House, he did not intend to move an Amendment upon the Address, and that he did not believe that any independent Member on his side of the House would do so; and further, that so far as he (Mr. Newdegate) was aware of the determination of those societies which had been organised for the promotion of the great cause of procuring justice to native industry, it was their resolve—be the declarations of Her Majesty's Government what they might—that until the Government had submitted their commercial and financial measures to the consideration of the Commons of England, they would not pronounce any opinion upon the policy or upon the conduct of Her Majesty's Government. This they considered no more than just; and, although it might suit the tactics of the Opposition to try to force the Protectionist body from their determination, and to arrive at a decision upon the abstract merits of the protective system, as contradistinguished from unrestricted competition, he could tell hon. Gentlemen opposite that they would fail in the attempt to move the Protectionist body from their position. There were some minds so constituted that they were never at ease unless they rested upon some arbitrary dogma; and he believed that the intellect of the right hon. Member for Oxford was one of these; but he could assure that right hon. Gentleman, and those who had preceded him in the debate, that it was as utterly beyond the power of Parliament to establish any arbitrary rule which should for ever hereafter bind the people of this country, as for them to mortgage the intellect of posterity. Be the decision of that House what it might, they could not abdicate for the people of this country, now or hereafter, their claim that the legislation of the country, financial or commercial, should be adapted to meet the exigencies and conveniences of their industry according to the changing requirements of the age, whenever the people should decide upon enforcing that right. He had no more to add than to say, that he believed he expressed the opinion of the protective societies of the kingdom when he stated that they were determined to await the announcement of the policy of the Government, and that they did so in the full confidence that the measures to be propounded would, as far as possible, meet the just requirements of all the interests of the country.

Mr. CHRISTOPHER said, that if it had not been for the pointed allusion that had been made to him by the right hon.

Gentleman the Member for the University of Oxford (Mr. Gladstone), he should not have ventured, after all that had taken place that evening, to intrude himself on the attention of the House with any observations. But his right hon. Friend had addressed himself to him (Mr. Christopher) in a manner so pointed and personal, that he felt it would not be consistent with his position and character in that House were he to refrain from making a few brief remarks on that portion of the right hon. Gentleman's speech which related to himself. He could not suppose that the right hon. Gentleman could have meant to impute to him that he would venture to express, in the presence of his constituents, opinions which he would not be perfectly prepared to uphold in that House. In addressing his constituents during the last contest in which he was engaged, he had invariably expressed his conscientious opinion with regard to the injustice done to the agricultural interest by the repeal of the corn laws, and by all the proceedings that accompanied that repeal. He told them that his opinions on that subject remained entirely unchanged; but at the same time he warned his constituents that it did not depend upon the opinion of any individual Member of the Government, but rather upon the opinion of the country at large, expressed through their representatives in that House, whether the principle of unrestricted competition or of protection was to prevail as to the governing principle of our commercial policy; and when his right hon. Friend taunted him with expressing opinions at variance with those uttered by the Chancellor of the Exchequer, and the noble Earl at the head of the Government, he would take leave to assure his right hon. Friend (Mr. Gladstone) that he should ever be found prepared, upon fitting occasions, to maintain the opinions which he had always entertained with regard to this subject; opinions which he had always fearlessly expressed since he had had the honour of a seat in that House. But, if he found that the people, being appealed to for their decision on two successive occasions, had, on two successive occasions given a verdict which proved that the doctrines he had heretofore advocated were not in accordance with the feelings of the majority of the country, he should feel himself bound to bow to the decision of the country thus unequivocally expressed—[*Laughter*]—and in spite of the taunts of his right hon. Friend and of the cheers of the benches opposite, he believed it the safer and more constitutional practice to adopt a course of this kind, when the country had solemnly pronounced its verdict; and in this opinion he was strengthened and encouraged by the example of the right hon. Gentleman himself, who had bowed to the decision of the country on the question of Parliamentary reform and other subjects. He (Mr. Christopher) as an individual, still entertained the same opinion, that the policy of Sir Robert Peel, in proposing the repeal of the corn laws was not a wise one; but at the same time that he held this opinion he might be clearly sensible that the state of public feeling might render it impossible to return to the principle of protection. What he had said to his constituents was this—and he had never swerved from it—that if the country should decide against the recurrence to protective principles, Her Majesty's Government would come forward and propose some system with respect to the taxation as a measure of relief to the agricultural interest. This was what he had said; and he trusted that, upon a future occasion, when the proposals of the Government should be discussed, he would again have an opportunity of defending himself from such accusations. His only motive for rising on the present occasion was, to prevent any impression prevailing in the House that he had acted in an unworthy manner towards those whom he had the honour of representing. With regard to his own position in connexion with the Government, he had no hesitation in saying that he accepted office under the Administration of his noble Friend from a sincere conviction that, of all statesmen in the country, the noble Lord now at the head of the Administration was the most fitted, from his admitted talents, position, and high principle, to conduct the affairs of a great empire. He had, however, told his noble Friend when he accepted office, that although he felt deeply gratified at the honour of becoming a Member of his Administration, still that he was prepared to place the office he held entirely at his disposal, whenever his noble Friend could strengthen his Administration by the introduction of another more qualified person. In conclusion, he had only to observe that, after what had taken place, he would never be the person to sow discord among the great party with which he had been connected, under the leadership of the late Lord George Bentinck; and that he was prepared to defend himself on a fitting opportunity against any accusations that might be made against him for deserting the constituency which he represented.

Mr. BERNAL OSBORNE said, it seemed to be generally admitted on both sides of the House that the debate on the Queen's Speech was to be a sort of shake hands preparatory to the great political conflicts which were to ensue; that the lion of Montrose was to lie down with the lamb of North Essex, and that nothing was to be said, but that they were to welcome every paragraph of the Speech with a loyalty which bordered, he might say, upon servility. In a constitutional point of view, he thought it was a pity that the course which was adopted in 1849 and 1850 had not been practised now. If he remembered rightly, the right hon. Gentleman who now deprecated any interruption to the harmony which prevailed in that "happy family," and who had attained to the office of Chancellor of the Exchequer, owing to the advocacy of the doctrines of Protection, upon that occasion moved an Amendment upon the Address, for an inquiry into the burdens upon agriculture. That Amendment, after a night's discussion, the right hon. Gentleman did not think it prudent to press to a division; but in 1850 another right hon. Gentleman, who he supposed would give in his adhesion to free trade that evening—he meant the present President of the Poor Law Commission—also moved an Amendment to the Address upon agricultural burdens; and he had greater faith in his principles upon that occasion than his right hon. Leader, for he pressed his Amendment to a division, in which he was disgracefully beaten. He (Mr. B. Osborne) merely alluded to this in order that new Members might dispel from their minds the notion that it was not a constitutional proceeding on the part of the House, when they felt an objection to a paragraph in the Speech, to move an Amendment to the Address; and he thought they would have better done their duty to the country, and advanced the interests of free trade, if they had at that, the earliest opportunity, moved an Amendment upon that paragraph in the Address which had been dictated by the genius of rigmarole, and traced by the hand of mystification. If the right hon. Gentleman wished to tell the House and the country that he had given in his adhesion to free trade, and the Cabinet had gone along with him, what was the occasion for that studiously evasive and deceptive paragraph? Would any Englishman when he read the papers in the morning be able to gather more from that paragraph, so carefully worded to delude Gentlemen on both sides of the House, and to give no information, than that the whole question of free trade was reopened in this country? It might be very well for the right hon. the Secretary of State for the Home Department to tell them, in smooth and dulcet accents, that the policy of free trade was not to be reversed; but how did he reconcile that with his speech before his two-and-twenty electors at Midhurst—or whatever the number might be—when he told them that crime and poor-rates were inversely increasing with the practice of free trade? If the policy of free trade were not to be reversed, as the right hon. Gentleman now with "bated breath" assured them, why had it not been distinctly stated in the Speech from the Throne? Why did not the right hon. Gentleman the Chancellor of the Exchequer, who had screwed up his courage to many points, take his physic like a man—why make so many gulps in swallowing this free-trade potion? Why did the right hon. Gentleman, who was the genius and soul of his Cabinet, condescend to be tied together with a bundle of incompetent marquesses and men who were at least questionable as to their principles, however honourable they might be in other respects? Why did he not say, "I am a free-trader; I hunted Sir Robert Peel to his grave; I maligned Sir Robert Peel; but I see that I committed a grievous error, and I am now a free-trader?" Don't let them talk in a vague manner about the spirit of chivalry in the heart of the noble Lord at the head of the Cabinet. Why did the noble Lord in 1846 stand by in the presence of that great man whom he might designate the "Wellington of peace," and listen to those bitter and envenomed attacks which were levelled, not only against the principle of free trade, but against the person of Sir Robert Peel? For himself, he stated at once that he had no confidence in the chivalry or high principle of the leader of the Administration; and sorry was he to add that he had no great trust in the sincerity of the creator of the party who sat in the House of Commons. He must congratulate the House upon the course of the debate. He had no doubt that in a short time every one of the hon. Gentlemen opposite would take the very manly course adopted by the right hon. Gentleman the Chancellor of the Duchy of Lancaster, and bow to the decision of the country. He had nothing to say to that graceful bow which the right hon. Gentleman had made to the decision of the country, except that he thought he would have consulted his own position and his high character, of which he had told them, better, if he had made that bow in the days of Sir Robert Peel, and had not waited until he himself came into office. He knew that office was no object to the right hon. Gentleman. He knew that he had been dragged into this by the mischievous love of party; but still he must bear the imputations which would be made by persons out of that House, who would regret that he had delayed until the eleventh hour making his bow to the decision of the country. The paragraph with reference to free trade imperatively called upon the leaders of the Opposition to decide at once. When the measures of 1846 were passed, they had no notion of compensation to any interest. He denied that injury had been inflicted on any interest, and he denied that compensation should be paid to any interest for the robbery which it had committed on the public for so many years. He was surprised that hon. Gentleman had not seen it in that light. . It might be desirable, as an object of party tact, to delay this question; but he was convinced that it would have been better for the country to have met this insidious and evasive paragraph by an Amendment upon the very first opportunity. So much for the doctrine of free trade. As to what was "looming in the future," as to the bottled problems that they were by and by to see enunciated, he would say nothing on the present occasion. But he would warn the hon. Member for North Warwickshire (Mr. Newdegate), and he would warn the country Gentlemen generally (of whom so much had been said in 1846 and 1847), that the Chancellor of the Exchequer might, after all, turn out to be the Flying Dutchman of the agricultural party; that the right hon. Gentleman having led them on so far—and he begged the farmers of England to mark this—that, having led them on so far for no other object but to elevate himself, would probably be found to have been deluding them once more on the subject of protection. [*Cries of* "No!"] Aye, but "Yes." He was not using his own language: he was giving them a paraphrase of the language which the Chancellor of the Exchequer used towards the late Sir Robert Peel. He (Mr. B. Osborne) remembered well the words of the right hon. Gentleman, for they strongly impressed themselves on his memory at the time. The right hon. Gentleman said that he could see a great difference between the leader of the Opposition and the head of the Ministerial party—that he would not contrast too strongly the hours of courtship with the hours of possession—and he moreover said that he had the satisfaction of proclaiming that the policy of the Conservative party was "an organised hypocrisy." The right hon. Gentleman had taunted his opponents on this occasion with having carried some of their weaknesses into the present discussion. He (Mr. B. Osborne) left the House to judge whether the right hon. Gentleman had not carried a certain degree of "organised hypocrisy" into it as his contribution. Away then, he said, at once with their speeches and their "chivalry," for he, for one, had confidence in neither, believing, as he did, that they had only used them that they might thereby get into power, and that the result would be that they would as soon as possible kick down the ladder by which they rose. He had no heart, and he believed the House had no inclination, to go into the other petty paragraphs of Her Majesty's Speech. He believed, as had already been said, that eulogy had been exhausted on the character of the Duke of Wellington, and on that topic he would only say that his Grace was a truly illustrious Englishman—an Englishman worthy to take his place among the Pantheon of great men—by the side of Sir Robert Peel. He must, before he sat down, make an exception with reference to the paragraph relating to Ireland. There was, at any rate, no deception there. He observed that the right hon. the Chancellor of the Exchequer did not take the opportunity, even when his attention was drawn to it, of disclaiming that he did not mean to involve the whole of Ireland in the "unhappy spirit of insubordination and turbulence" which was referred to. He (Mr. B. Osborne) denied that there was any "insubordination and turbulence" on the part of the people of Ireland. There might be a certain amount of agrarian crime, and no man regretted it more than he did. But was there no crime in this country? He believed that for one crime in Ireland, there were fifty in England; and it was, to say the least of it, not becoming in a Minister of the Crown who wished to avoid an Amendment to the Address—who desired to see them all a happy, united family on that occasion—it was not becoming in him to cast a slur like this on the people of Ireland in Her Majesty's Speech. He would not now dwell on this topic, as other opportunities would doubtless occur of discussing it; but he could not help observing that when the Government talked of adopting a "liberal and generous policy towards Ireland," it would not have been out of place to have heard when the promised Landlord and Tenant Bill would be introduced; whether the Government intended to propose any inquiry into Maynooth; and whether they had any intention of interfering with the noblest and best institutions in Ireland? He alluded to the system of national education in Ireland. He confessed that when he saw the recent appointment to the episcopal bench in Ireland of a rev. gentleman who, whatever might be his other qualifications, had always been remarkable for his hostility to the national system of education, he (Mr. B. Osborne) could not but tremble for the result. It was true that Lord Derby had formerly instituted the system; but it was possible that some new light had beamed into his mind upon that as upon other subjects, and that he was now disposed to alter and destroy that which the House had taken such pains to promote. He hoped that before the discussion concluded, the House would be favoured with some intimation of the views of the Government upon this subject from the law officers, or some other official, connected with Ireland. Of this he was quite sure, that it was by no means "a liberal and generous policy towards Ireland" to be introducing paragraphs into Her Majesty's Speech maligning that country; and he was sure that it would not conciliate the affections of the people of Ireland to find that the right hon. Gentleman had studiously avoided noticing the point after his attention had been specially called to it. The right hon. Gentleman, in the speech which he had delivered that evening, had, with his usual ability, raised one of those thick mists which he had found so successful with the country Gentlemen who had been returned to Parliament to promote protection. And, speaking of the country Gentlemen, he wished to ask what had become of them? Were they content to hear that there was to be no reversal of the system of free trade? He saw an hon. Gentleman opposite who he had always understood was a Protectionist to the back bone, and who told his constituents at the last election that he should be the last man who would give in his adhesion to the doctrines of free trade. What had that hon. Gentleman to say to the declarations of Government on this occasion? Surely the right hon. Member for North Lincolnshire (Mr. Christopher) would not be allowed to be only penitent. If Protection was really to be given up, let hon. Members swallow the dose and become free-traders at once—and, what was more, without looking for compensation; for they (the free-traders) were determined that there should be no compensation, believing, as they did, that no injury had been done. If they wished to remain in power, and to be infamously contented, let them do so if they could. He had done his duty in warning them of the consequences. Such was in effect the kind of speeches which had been directed by the right hon. Gentleman opposite against the late Sir Robert Peel. He (Mr. B. Osborne) had not attempted to emulate the glowing language of the right hon. Gentleman; but of this he was sure, that he had spoken with greater sincerity and with greater devotion to the cause which he professed to advocate.

Mr. ADDERLEY did not rise for the purpose of throwing any light upon the intentions of Government, for he was not in their secrets, and had no more means of understanding their views than any other hon. Member; but, as an independent country gentleman, and as representing a large constituency, partly agricultural, but quite as largely manufacturing, he was anxious to state his views to the House on the points which had been raised on the present discussion; and, in the first place, he deprecated the repeated attacks which had been made on Her Majesty's Government by hon. Members opposite. Such attacks must recoil upon the heads of those who made them; and he appealed to those hon. Gentlemen whether it would not be more consistent, if not with their own character, at least with the character of the House, to wait until they had really something to attack, instead of making an onslaught which was simply based upon a spirit of malevolence. It might do very well for certain organs of public opinion, in the absence of direct information, to fabricate their facts and deal in wholesale fiction for the purpose of damaging the Ministry; but such tactics ill became that House, where there was not the same excuse for their adoption, or the same licence allowed as in the case of the press. He repeated that he had no means of arriving at an interpretation of Her Majesty's Speech beyond what any other Gentleman unconnected with the Government had; but on reading the paragraph which had been so much discussed, he had come to the conclusion, which, with all their mystification, even those Gentlemen who had attacked the Government had themselves clearly come to—namely, that Her Majesty's Government had for ever, as far as they were concerned, given up any notion of attempting to reimpose any protective duties upon corn; but that at the same time they were resolved to put it to the House whether they thought that the removal of those duties, while conferring advantages upon one class of the community, had not inflicted injury upon another class; and, if so, whether they were not prepared to adopt measures to mitigate the injury? But did this satisfy hon. Gentlemen opposite? It did not; nor would they, he believed, have been a bit more satisfied had the language of the Speech been even still more explicit, or had it even been drawn up in their own language; for, from the first moment that the Government had been placed in their present position, the same identical attacks had been directed against them *de die in diem*, and were now repeated *usque ad nauseam*, however strong the necessity for the despatch of business. What had been said by hon. Members opposite that evening? What did the hon. Member for Montrose complain of, for instance? It would be remembered that nobody rose immediately after the hon. Member for Wolverhampton; that there was a total silence for a few moments in the House; and that then up got the hon. Member for Montrose and denounced all the Members on that (the Ministerial) side of the House—and for what? Simply because they had not replied to the Motion which was to be brought forward by the hon. Member for Wolverhampton on Monday week. Really when the hon. Gentleman was in such an unreasonable mood, it would not be wisdom on the part of the Ministerial Members to attempt to allay dissatisfaction grounded on such an unfathomable feeling of hostility. Then, what did the hon. Member for Wolverhampton himself say? He complained on constitutional grounds of the paragraph in the Queen's Speech referring to free trade. He laid down the broad constitutional principle that the opinions of the Minister of the day must be in consonance with the opinions of the majority of the House—about which there could be no doubt—and that, in order that the Minister should be able to maintain a constitutional position, he must follow one of two courses—he must first ascertain whether the opinions of a majority of the House were the same as his own; and if not, he must either recant his own opinions or resign. Now, he (Mr. Adderley) would take leave to say that there was a third course that might be followed, and that was to allow any opinion which he had formerly held, but which he was now unable to carry out, simply to remain at rest. He saw no need for an absolute recantation. When Sir Robert Peel took office in 1835 it was not found necessary to ask him to make an affidavit that he would never attempt to repeal the Reform Bill of 1832; neither did the noble Lord the Member for London think it advisable to come under any pledge with reference to the celebrated "appropriation clause" when he became First Minister of the Crown. The noble Lord found it more convenient to let that subject pass away *sub silentio,* though he had turned out a strong Government expressly upon it. The noble Lord and his friends, therefore, were not the men to ask that an affidavit, security, or guarantee should be imposed upon the present Government—that in no circumstances whatever should they attempt to revive the question of free trade. He observed that there were three sections of the Opposition united in calling in question the paragraph of Her Majesty's Speech on the subject of free trade. There were—first, the immediate predecessors of the present Government; second, the leaders and staff officers of the Government of Sir R. Peel, strangely hostile to the remainder of their own party now in office; and, third, the free-trade party, to whom the whole credit should be given of the free-trade measures which were now the law of the land—he meant the hon. Member for Wolverhampton and his friends, to whom alone, he repeated, belonged the full credit of being the friends of the poor on this question; and he must say that he thought it gross presumption on the part of the party which called themselves by Sir Robert Peel's name to attempt to take to themselves the credit of a measure which they had tried so long to delay, obstruct, and keep down. He denied, however, that either of these three sections were entitled to bring the charge of inconsistency against the present Government. Was the noble Lord, the late Prime Minister, consistent on the Appropriation Clause, coming into power expressly upon it, and never alluding to the subject after gaining office by it? or on the Militia Bill of last Session? or was he consistent in telling Her Majesty that it would be a disastrous course to resort to a dissolution of Parliament, and then immediately afterwards pressing the present Government to adopt that course? or was he consistent when, opposing the Militia, he suggested supplying our home defences by troops drawn from the Colonies; a measure which, when he (Mr. Adderley) proposed it on other grounds, he denounced? And, with regard to the Colleagues of Sir Robert Peel, what sort of a recantation was it that the right hon. Baronet the Member for Carlisle (Sir James Graham) and his Colleagues wanted from the Government, after they had stated, as plainly as language could, that they had no intention of raising the question again? Was it a recantation such as Sir Robert Peel himself made in 1846, when he all at once announced his intention of introducing a measure in direct opposition to every argument he had formerly used, and reversed not only his policy, but avowedly every principle on which he had based it? Was it a recantation like that which had been made by the right hon. Baronet himself? He was sure that many hon. Members would recollect how the House was electrified by the rapidity with which the right hon. Gentleman reversed all his former arguments, and how, to use his own phrase, he swept whole volumes of *Hansard* away by one single word. If it was a recantation of this kind that was wanted, he could only say that it was unreasonable to ask it of them, and that it would not at all meet their views to accede to the request. Then, with regard to those whom he might call the apostles of free trade, they seemed to him like the children in the market-place—there was no pleasing them. If the Government and their friends declared themselves to be Protectionists they were not satisfied; and if they called themselves Freetraders they were equally dissatisfied. He denied that the Government had reversed any principle on the subject of protection, or that it had ever been held by them as a principle at all, It was, indeed, based upon a principle—and principles are of eternal obligation, essential and fundamental, and are never to be reversed—he meant the principle of equal justice—the principle that all classes should be taxed alike; but the system which was known as Protection was only an artificial arrangement based on that principle. He had always said that if protection meant the favouring one class at the expense of another, he would not defend it for a single moment; it was only to be justified as a balance of unequal taxation. Protection, however, having been withdrawn, the same principle called upon them to adjust the inequality which the removal of protection had produced. The party which was at present in power was the same party which was formed by Sir Robert Peel in 1841; and the cause of the indignation which had been expressed against them by their late colleagues, now in opposition, was, that they had not been able to follow their common leader equally in opposite directions. The hon. Gentleman the Member for Middlesex (Mr. Osborne) sneered at the want of independence shown by the country Gentlemen; but if following a leader one day in his advocacy of protection, and being ready the next day to share in his advocacy of free trade, was his idea of independence, he differed from it *toto cœlo*. He had always admitted that the conduct of Sir Robert Peel on that occasion was highly honourable to himself: the rapidity, ill-adjustment, and inconsistency of his change of policy was at least not selfish, but a great personal sacrifice; but he thought it rather hard that his party should be blamed for not following him in the last phase of his political career, simply because their minds had been too ineffaceably impressed with the arguments which he had urged upon them just before. The hon. Member concluded by protesting against the House being called upon to give the guarantee which the proposed Motion of the hon. Member for Wolverhampton implied. It appeared to him to be a dangerous precedent, and he hoped the House would not assent to it: that any measure, however inappropriate and set aside for the present, should be put under a perpetual ban of excommunication from all future discussion—a ban which, moreover, would not be binding on any single Member of the House the hour after it had passed into a resolution.

Mr. COBDEN: I don't know that I should have trespassed upon the attention of the House, had I not wished to impress upon my hon. Friend the Member for Wolverhampton (Mr. Villiers), the propriety of not listening to the advice which comes from the other side, with respect to his intention of bringing forward a substantive Motion on the question of free trade. I think my hon. Friend has duly appreciated his position before the country with reference to that subject. He has long been the faithful representative of the principle of free trade in this House; and the country is deeply interested in our discussions on that subject, and they will expect that those discussions shall be brought to some definite result. Now, I ask, is it possible that the plain, honest, and simple-minded people of this country can consider that this clause in the Queen's Speech is a sufficient solution of the fourteen years' controversy which, within my knowledge and experience, have passed away upon this question? Why, if I read the passage aright, it is put into that form with an intention that it shall not mean anything. It begins with an "if." A right hon. Gentleman has said that the "if" is intended to be a peacemaker; and Shakespeare has said that "your *if* is a great peacemaker"—but, if this passage be hypothetical and means nothing, how can we come to any decision on the question, or how can it be said that we are satisfying the country, or convincing them that the views of the House of Commons are in harmony with those of the great majority of the people out of doors upon a question so interesting to them? I think, therefore, my hon. Friend has pledged himself most wisely before the country that within a fortnight of this time he will bring this question substantively before the House. Supposing, however, what the Chancellor of the Exchequer says be true—and I understand that a noble Earl in another place has made a statement confirmatory of his opinion—supposing it to be true that the Cabinet have resolved to adopt the principle of unrestricted competition, where can be the difficulty, or where the delay, arising out of the Motion of the hon. Member for Wolverhampton? I undertake to say that his resolution will do no more than affirm the principle of unrestricted competition with a view to carrying it out. The Chancellor of the Exchequer says that is the opinion of the Cabinet. Then the right hon. Gentleman will only have to second the Motion of the hon. Member for Wolverhampton, and in one night—nay, in one short hour—for I promise him he will not be troubled with many speeches—this question will be disposed of for ever. But it must not be mixed up with other questions, it must not be mixed up with questions of finance. I think the hon. Member for Wolverhampton has had too much experience of this House, and has seen too much of what is required for success in the advocacy of any measure, to allow one grave question to be mixed up with any others. We must have the pure and simple free-trade principle affirmed, and that is a principle not to be based upon the casual prosperity of the present day. The hon. Gentleman who spoke last is most anxious that we should allow this question only to be settled for the present. Yes, yes, there would be great convenience in that—because hon. Gentlemen might then go down to the farmers' tables a month hence, and say, "We only assent to this for the present. You have only to agitate. Get up meetings, subscribe to protection societies, and the time will come when the manufacturers, instead of being prosperous, will be suffering, and then we may reverse this principle, and adopt again the policy of protection. ["Hear!"] Ay, but we don't intend to act upon that principle at all. We say that the principle of unrestricted commerce is true, and sound, and politic, and just at all times, in all places, and under all circumstances. If it be a truth it will answer to all these conditions; and if it be not, it is not worth the fourteen years' struggle to establish it by legislation. I have no objection to see a financial scheme brought forward. I think that, apart altogether from the principle of unrestricted commerce—apart from abolishing protective duties—there is a very great field open to any ingenious Chancellor of the Exchequer in the modification of our system of taxation. That is a process which I invoke quite as much in the interest of my constituents, the woollen manufacturers of Yorkshire, as you who are opposite can do in the interest of the landed proprietors; because my constituents in West Yorkshire, the manufacturers of woollens and stuffs, are open to the unrestricted competition of the whole world, and are equally interested in the question of taxation. Therefore I cannot allow you to go into the question of taxation with the view of remedying what you call an injury done to certain interests in 1846. I know what those interests are. You mean the parties engaged in agriculture. Well, but that will open a very wide question. In the first place I deny the injury you talk of. You will have to prove your case. You have not proved it. I could mention two or three circumstances that would stand in your way at the outset. Some of the largest landowners in the kingdom have declared that their rents have not suffered in consequence of free trade. Last year we heard this stated by the Duke of Buccleuch and Sir James Graham. Farmers have not all suffered either. Those engaged in grazing, in raising wool, and in dairy farming, have all been profiting by the prosperity of trade which has arisen from the changes which have taken place. But when you talk of relieving landed property, you are going not only to relieve wheatgrowers from taxation—you contemplate not only a modification of taxation for the benefit of wheatgrowers—but you relieve railway property, house property, and, in fact, more than half the real property of the country, which does not come under the denomination of agricultural property at all. Besides, what are you going to do with the 7,000,000*l.* or 10,000,000*l.* worth of property in Ireland bought under the Incumbered Estates Act, since the free-trade measures passed? These parties have bought their land under free-trade conditions. Are you going to give compensation to them? There are many millions' worth of property sold every year. On what principle, then, are you going to make your remission of taxation? I deny the loss; but I say it would be a most clumsy thing to attempt a compensation which must cover all the owners of real property, when, avowedly, you only want to reach the growers of wheat, and the owners of two or three other descriptions of property. I deny that even your agricultural proprietors—your owners of land—can show a loss. Is the land worth less now that it was when Sir Robert Peel made the change in the law? I say, then, that you must begin by showing your case. Where is the injury—the loss? You must then show your right to compensation, because I can point you to other people who have sustained losses. You don't intend to compensate lawyers, who are now suffering great losses, because you have abolished their "John Doe and Richard Roe," and other expensive processes. No; they may emigrate to the "diggings." I lay down this rule—that when a class of the community has been benefiting under the operation of laws, such class can have no beneficial interest in those laws; and if the laws are abrogated, the class can have no right to compensation for their loss. If the corn laws entitle anybody to compensation they will hold it with bloodstained hands; for I will on a future occasion give you some recitals of what took place in 1816, in 1819, and in 1829—of riots, of murders, and of executions—and I will distinctly trace them all to the operation of your corn laws. If you had now in force the law which existed in 1815, I am convinced that in the last autumn, when the harvest threatened to be a failure, you would, instead of contentment and happiness, and a well-affected state of mind among the people, have witnessed the misery and crime which prevailed at the periods to which I have referred. I say, then, you are wrong in meddling with this question at all. Why, you surely don't expect that the country, and the majority of this House, will go into a discussion on the financial state of the country with the foregone conclusion that certain interests are entitled to compensation? That is the very thing we (the Opposition) have been fighting about, and you ask us to reopen the whole question! The first thing my hon. Friend the Member for Wolverhampton must do is to see that we are put in as good a position as before the elections; and if the Members of the House of Commons pledged to free trade do their duty, as I believe they will, we shall have free trade recognised by a vote of this House, and without its being in any way alloyed by the question of compensation. The right hon. Member for Oxford University (Mr. Gladstone), who is perhaps more difficult to follow in his speeches than any one in this House, appeared to me to fail in what I should have thought of all other points he would have been least likely to err—I mean his casuistry. He laid down the principle that we might call upon a Government for a declaration of their policy, but that we had no right to put them in the crucible, in order to extract from them a declaration of their opinions and convictions. Now, if I were engaging an agent or steward, I should like to know what his views were upon the business I wished him to perform; and, knowing his views, I should conclude that, if he were an honest man, his practice would be in accordance with those views. It is upon the same principle that I wish to know the sentiments of the Ministry; because they are the agents, or stewards of the people at large; and I believe that, whatever their convictions may be, their policy will be in accordance with them, if we give them the opportunity of carrying those convictions out. Can it be supposed that right hon. Gentlemen would take office, holding certain convictions on the greatest question of the day, and that, notwithstanding those convictions, if you will let them remain in office, they are perfectly willing to carry out the very opposite policy? That would be a very compendious mode of dealing with party politics; it would simplify proceedings very much. There would be none of those migrations from one side of the floor to the other which occasionally take place. Once "in," and whatever the demands of the country might be, the convictions of Gentlemen in office would never be any obstacle to their acceding to such demands. Now, I could more easily tolerate that doctrine, provided the Gentlemen opposite had never given their reasons for the faith that is in them. I cannot forget, however, that the Chancellor of the Exchequer told us, not in the heat of debate in 1846, but as lately as 1849, the reasons why he was in favour of protection, and why especially he was in favour of reciprocity. He has given most elaborate arguments to show that free trade, according to the "Manchester school," as he was pleased to call it—that is, free imports in opposition to hostile tariffs—are calculated to degrade the labourer, to lower the rate of wages, to diminish capital, and to increase pauperism. He has told us all that within the last three years. I am the last person to wish to go back to *Hansard* to quote statements which have been made in this House; but when I find the right hon. Member for Oxford University asking me to leave the Ministers in office, whatever their convictions may be, I cannot separate those arguments of right hon. Gentlemen to which I have alluded from what I believe to be their present convictions, and which, I have no doubt, they would carry out in practice if they could do so. We cannot forget the last time the Chancellor of the Exchequer alluded to this subject of free trade—last May—when he told me very indignantly, "I deny that I have come to this side of the House to betray the principles I held on the other side. On the contrary, I am here, and I say it emphatically, to carry out, if I have the power, all those principles which I have hitherto advocated." I think, then, I am justified in asking right hon. Gentlemen opposite what are their present convictions on this question? I would not subject them to the ordeal to which they subjected the late Sir Robert Peel when he changed his opinions. The hon. Gentleman who last spoke has talked about the way in which Gentlemen on this side of the House are constantly assailing those on the other side. I imagine he must have been mistaken, and have been thinking of what happened four or five years ago. The late Sir Robert Peel avowed changing his opinions, and yet he was not allowed to remain in peace with his new convictions, though he abandoned office as the price of his conversion. I don't think the Gentlemen opposite have any reason to complain of the restribution with which they have been visited. I have often felt, and I have often been on the point of saying, what I will not hesitate to say now—that the personal friends and political Colleagues of the late Sir Robert Peel have, in my opinion, shown more forbearance towards his assailants than ever I could have done with the Christian temper I aim at possessing. But if the Gentlemen opposite will come forward when my hon. Friend (Mr. Villiers) makes his Motion, and will give in their adhesion to free trade, and declare that they have changed their views upon that question, I give them my solemn pledge that from that moment they will never hear one taunt or one single reproach from me. If we have not that declaration, others may be inclined to trust Gentlemen who profess one set of opinions, and who carry out another set in practice; but I can only say for myself that, representing a constituency the largest in the Empire, and a population of a million and a half, whose opinion is unanimous, unless right hon. Gentlemen opposite do avow a change in their opinions, they shall not remain in office one day with my consent, or a day beyond the time that I can turn them out. I have only to repeat to my hon. Friend (Mr. Villiers) what I am sure he does not require to be cautioned about—namely, that he should take the earliest opportunity of bringing forward his substantive Motion. Let it cover the whole ground. Let him declare emphatically the right of the people of this country to free trade in corn; let him avow that principle as just and politic, and one that must be maintained, enlarged, and extended in every practicable way. If the Gentlemen opposite will endorse that resolution, they will have a truce for ever for me. If they resist it, I shall be their opponent as long as I remain in this House.

Mr. E. BALL said, that though he stood alone in the House, he would still declare his conviction, in spite of all that had been said on both sides, that protection was the best and wisest policy for this country and for all nations to adopt. He might be ridiculed for maintaining such a doctrine; but he had some consolation in the knowledge that there was not a single nation of the earth, save Great Britain, that did not adhere to the principle he advocated. He had the satisfaction of knowing that all the greatest men of America, France, and the whole Continent, agreed with him, maintained his views, and carried out in their several countries those principles which he believed to be sound and right: and he believed that, under the guidance of a gracious Providence, this country had attained its greatness and its superiority over all other nations by the maintenance of that protective policy which many Members of that House now despised and condemned. It had been very properly remarked, that they had arrived at a period when it was necessary for all men and for all parties distinctly to avow what their opinions were. But the Home Secretary had truly said, that this was not a night to be devoted to political and party discussion, but one on which they had met unitedly to testify their honour and attachment to Her Majesty, by receiving and responding to the Royal Speech. ["Hear!"] Surely the case was not so urgent, or the matter so pressing, that it was necessary to enter upon the question of the Ministerial policy immediately; and when the right hon. Gentleman the Chancellor of the Exchequer had asked only for a delay of a few days, the denial of his request must be promoted rather by party spirit than by any desire to benefit the country by extracting now an opinion from the House. The noble Member for the City of London (Lord John Russell) had stated that there was one paragraph in the Royal Speech of which he could not approve—a paragraph so mystified and unintelligible, one part of it professing one principle, and the other part another, that he was much disposed to take the sense of the House upon it—meaning thereby the paragraph which related to the question of free trade. Now, he (Mr. Ball) could very well understand how a particular policy might be very good for one portion of the people, while it was not equally good for another. He could easily understand how free trade might have advanced some interests in the community, while it had damaged others. If they only looked back two Sessions ago, when the noble Lord (Lord John Russell) was Prime Minister, they would find that the noble Lord admitted, through the Speech from the Throne, that there was one class in this country which had not been benefited by free-trade measures—that there was a body suffering great distress; and Her Majesty suggested to the House of Commons the propriety of taking the condition of that class into consideration. That Speech, like the present Speech from the Throne, acknowledged that certain principles which had been attended with great and certain good to some parties, had been adverse and injurious to the interests of others. But, though the noble Lord at that time recognised the injuries the agricultural interest had sustained, they had not to thank him for having done anything to redress those injuries. The hon. Gentleman who had last spoken (Mr. Cobden), and who had told them that he represented a million and a half of people, among whom there was no dissension, but that all opinions were in accordance with the principle of the late measures, asked how, when no party was suffering, could any one come to that House and ask for redress? and he added that the wool producers and farmers were in a prosperous state. But the very fact that the wool farmers were now selling their sheep at a profit, was destructive of the policy of free-trade principles. Why was it that these classes were making profits? When the system of free trade was first adopted, sheep were brought into this country in such numbers that a panic was created among the sheep breeders. These foreign sheep brought the disease with them; they introduced the smallpox into this country. The consequence of importing these horrible animals in such numbers was, that the sheep breeders killed off their stock; they ceased to breed to the same extent as before; the supply had fallen off, and prices had advanced to a remunerative point. This was the reason the sheep trade was remunerative. He believed the same consequence would result with regard to other branches of trade from the adoption of free-trade principles. Everybody knew that this country now grew less wheat than was produced before free trade was established; and if the growth of wheat proved unremunerative it could not be expected that farmers would give much attention to its production. They would then have a decreased supply at home year by year; and if mildnew, or blight spread over the Continent they might have cause to regret that they had abandoned those principles under which the country had attained prosperity. He did not intend, however, to go into the question on that occasion. He had risen merely to assure hon. Gentlemen opposite that he had nothing to conceal, and nothing to disavow, and that he stood in that House just as much a Protectionist as he had been on the hustings before his constituents. He had the honour to appear in that House because he had advocated the principle of protection; and the very fact of his having a seat in Parliament proved how permanently and universally that principle had taken root in that part of the country in which he resided. He would not deny that free trade stood in a different position from what it was a few years back. Things did not look so gloomy as they did a year and a half ago; but that was not owing to free trade. That was the result of free trade alone? Did free trade discover the gold of Australia? It was to the vast and unforeseen influx of gold that we owed our prosperity, in spite of free trade. It was the wealth poured into the country from the newly-discovered gold regions, which had prevented the otherwise certain mischief of free trade. It was the goodness of Providence that sent us this wealth to relieve us from our sufferings. He had seen in the *Quarterly Review*, three years of free trade contrasted with three years of protection. He would read them an extract from that article to show the effects of free trade. A comparison was made of the results of the four years since 1846. In 1845–6 the poor-rates for England were 13,500,000*l.*; in 1849–50 they were 15,000,000*l.* In Scotland the increase was greater. Another fact was brought forward, relative to crime. In 1845–6 the number of cases were—

For England	35,500
For Scotland	7,600
For Ireland	15,700

In 1849–50 the number of cases were—

For England	41,000
For Scotland	8,000
For Ireland	38,000

Here were a few of the benefits which had flowed from cheapness occasioned by free trade. A more important fact was also to be noticed—the deposits in the savings banks; in 1846 the amount was 62,000,000*l.*, but in 1849 it had declined to 55,000,000*l.* He knew but one inference that could fairly be drawn from these facts, and these facts gave him more confidence in the opinions which he held. He recollected it was a great point of the free-trade advocates that those nations from whom we took corn would become customers of our manufactured commodities under a free-trade system, and buy so much of our manufactures as would add wonderfully to the wealth of the country. He believed, without exception, that the reverse was the case. If he were correctly informed, France, Germany, and the corn-growing countries from which we took such large quantities of corn of late, took less of our manufactures now than they did before free trade. If these were facts, why should he be asked to justify the principles which he had always professed, and why should he be asked to abandon them? He could never consent to be the advocate in that House of principles which he repudiated out of the House. Nothing would be more painful and more repugnant to his feelings than to read a recantation of opinions which he had elsewhere expressed when his convictions were unchanged. He repeated, he was a Protectionist, and he would not abandon the flag so long as it floated under a commander that he could follow, or a party in whom he could confide.

Sir J. V. SHELLEY congratulated the House that they had found one man bold enough to avow the principles of protection. He trusted, that when the hon. Member for Wolverhampton brought forward his Motion, that hon. Gentleman, whatever Her Majesty's Government might do, would give them an opportunity of having a discussion, and that he would oppose that Motion. He must say he gave the hon. Member credit for the manliness with which he had stated his conscientious opinions; but the hon. Member would allow him, as an old free-trader, entirely to disagree with the reasons he had given for those opinions, and especially that the stock of sheep was rapidly diminishing. He believed the agriculturists of Cambridgeshire were unfortunate enough to have the small-pox among their sheep; but he thought the hon. Member's constituents would laugh when they heard the cause to which he attributed the increase in the price of mutton and wool. To all persons having anything to do with agriculture, it was notorious that, instead of the number of sheep bred in the country having greatly decreased, the contrary was the fact, and that the prices of both mutton and wool had advanced in consequence of a great increase in the demand; and, moreover, in consequence of the improved method of farming, the supply of lean sheep was insufficient to meet the demand. When also the hon. Gentleman took upon himself to say the quantity of corn grown was less than in the days of protection, he was equally inaccurate; and he (Sir J. V. Shelley) could take upon himself to assure him that never were such improvements being carried out in agriculture as had been carried out since the introduction of free trade. After they had been told, as they had been to-night, that never again would the Government attempt to lay protective duties upon corn, he trusted the hon. Gentleman the Member for Cambridgeshire would be prepared to give his opposition to Her Majesty's Ministers. With regard to the question to be brought before the House by the Member for Wolverhampton, he entirely agreed with those who thought the country looked to this House that the question should at once be settled either one way or the other. For himself, he was satisfied nothing had done so much injury to agriculture, had so truly been the bane of agriculture, as that protection to which the hon. Member even now adhered, and whenever that subject should be before the House, he would take an opportunity of entering more largely than at present into the arguments by which that opinion was supported.

Viscount PALMERSTON: Sir, I wish to make one or two observations upon the Address and the Speech prepared by Her Majesty's advisers; and I cannot refrain at the outset from joining my voice to those who have spoken already, in bearing testimony to the good taste and good feeling which have led Her Majesty Ministers to place in a prominent part of the Speech a just tribute to the memory of that great man whom we have just lost. Of him at present I shall content myself with saying, that I believe that never was there any other man, in any country whatever whose lot it was to render such great and important services to his country, or who had the good fortune to live so long in the enjoyment of the universal and unbounded love, respect, and admiration of his countrymen. Sir, I am glad to find, talking of the principle of protection, that at least one application of that principle has succeeded, and that Her Majesty's Ministers have been able to realise the expectations held out as to the voluntary enlistment of men for the militia service. I certainly feel peculiar gratification on that point, inasmuch as it always was my opinion that voluntary enlistment would answer the purpose, and that a sufficient number of men could be found ready to join the ranks of the militia, on the terms which the Government were prepared to offer. I have received, Sir, great satisfaction from the statement which the Speech contains in regard to the acquiescence and co-operation of the Government of Brazil in measures taken by this country for the suppression of the slave trade. I am happy to think that the suspension of those measures by which that co-operation was obtained—stated to be only temporary and contingent on that co-operation—will not be of a more lasting character. I should have been glad if Her Majesty's Government had been able to state that the Government of Spain had equally co-operated in putting an end to the importation of slaves into Cuba, and I trust that either this evening, or on some future occasion, Her Majesty's Ministers will be able to inform us in what degree, during the year now expiring, the Cuba slave trade, by the good faith of the Spanish Government, has either been reduced or put an end to. Sir, on that great question which has been the main topic of debate this evening, I think if any doubt could have existed when we met to-day as to the necessity of some declaration on the part of this House, aye or no, on the question of protection or free trade, that which has passed in debate this evening would have removed that doubt altogether; because, although it appears that Her Majesty's Government thought the question might be passed over *sub silentio*, and disposed of in a paragraph in the Speech, which resembles, in its ambiguous terms, the oracle,

> "Aio te, Æacida, Romanos vincere posse,"

and which, according as it is construed, may be taken either one way or the other; and although I do not blame the Ministers for the arrangement of that Speech, after the excellent reason given by the Secretary of State, "that it was known there were Gentlemen who might have objected to a frank and explicit declaration as to the policy to be pursued;" yet, Sir, we have heard to-night that there are protectionists still in the House: and if the verdict of the country is to be inferred simply from the debate this evening, it may go forth that doubts may be entertained what is the opinion of the majority of the House of Commons on that great question. Now considering the formal manner in which that question was by Her Majesty's Ministers referred to the decision of the country at the late general election, I do think it is necessary for the public interest that there should be some formal declaration of opinion—not simply by the Members of Her Majesty's Ministry, satisfactory as that has been, so far as we have heard them this evening—but a formal declaration by the House itself, establishing permanently and decidedly that which no doubt will be established—the concurrence of the Commons' House of Parliament in the soundness of that system of commercial policy on which legislation of late years has been founded. And, Sir, I cannot agree with the hon. Gentleman who spoke on the other side, that free trade is a measure, and not a principle. No doubt the imposition or repeal of duty on a particular article such as corn may be a measure—a measure emanating from a principle; but the principle of free trade is of larger and more extensive application—it is one which ought to be consecrated by the vote of this House as the foundation of all our future legislation. And, therefore, I heard with great satisfaction that the question is to be brought distinctly and separately under consideration. That being the case, and feeling that I shall undoubtedly join my vote with others who are prepared to affirm that principle, I shall not further intrude upon the time of the House, but only express my concurrence, not only in the propriety, but the absolute necessity for such a proceeding.

COLONEL SIBTHORP said, that he had intended to express his great disappointment, if he had not used the expression disgust, at the course adopted by those whom it was his great wish and anxiety to have supported. He thought himself called upon, after being so many years a Member of that House, to express briefly, independently, and fearlessly his opinions. He was from heart and soul a protectionist; he came into that House as a protectionist, and he would continue in that House alone as a protectionist. When he could dare to change those opinions which he had so often professed in that House, he would at once resign that situation, and confess his constituents had reposed an unworthy confidence in him. He regretted deeply being called on to express those feelings. He said most distinctly he was unchangeable in opinion and unchangeable in conduct. He confessed he was astonished at the manner in which that party, to which he had been proud to attach himself, had ventured to express themselves in that House. He had heard the word "duplicity." He was sorry to say that was his opinion. He quarrelled with no man for his political opinions, whether they be free-trade or protectionist; but let him know who his man was, and on which side of the House he was called on to take his seat. He knew he ought not to have trespassed on the House; but, as an honest man, he was anxious to do his duty fearlessly, and he could not have retired to rest without expressing his disappointed feelings, and his determination to uphold his own principles.

Resolved accordingly.

Committee *appointed*, "to draw up an Address to be presented to Her Majesty upon the said Resolution:" Lord Lovaine, Mr. Edward Egerton, Mr. Chancellor of the Exchequer, Mr. Secretary Walpole, Sir John Pakington, Mr. Herries, Mr. Henley, Lord John Manners, Sir John Trollope, Mr. Attorney General, Mr. Solicitor General, The Judge Advocate, Lord Naas, Mr. Hamilton, Mr. Mackenzie, Mr. Stafford, and Mr. Wilson Patten, or any five of them.

Queen's Speech *referred*.

House adjourned at half after Nine o'clock.

HOUSE OF LORDS,

Friday, November 12, 1852.

MINUTES.] *Took the Oaths.*—Several Lords.

LAW REFORM.

LORD LYNDHURST: I wish to put a question to my noble and learned Friend on the woolsack (Lord St. Leonards) with respect to the expenses of proceedings under commissions of lunacy, in pursuance of a Motion I made in the last Session. My noble and learned Friend will no doubt recollect that I introduced a Bill in the last Session for the purpose of endeavouring to reduce the expenses of such proceedings. I wish to ask my noble and Friend whether it is his intention to introduce any measure this Session on the subject?—for if so I shall cheerfully leave the matter in his hands, and it will probably come to a better conclusion under the conduct of a Member of the Government, than it would do in mine. I hope my noble and learned Friend opposite (Lord Brougham) will not consider I am trespassing on his manor—[Lord BROUGHAM: You have my leave and license]—even if I put a question to my noble and learned Friend on the woolsack which has been repeatedly put to former Governments, but which never received a satisfactory answer. The question is this—"Whether it is the intention of Her Majesty's Government in this Session to introduce any measure for the purpose of carrying into effect the report of the Criminal Law Commission?"

The LORD CHANCELLOR: I need not say I should have been glad to leave the subject of the expense of commissions of lunacy in the hands of my noble and learned Friend, because I know nobody who is more capable of treating it adequately, or who would do it more justice. But I considered it a duty which I ought to take upon myself to deal with that subject, and accordingly I assumed that duty. I may as well mention that on Tuesday next I propose to state, with your Lordships' permission, the different measures of legal reform which the Government intend to introduce. Whether all of them will be introduced in this short Session or not, I cannot undertake to say; but they are all in preparation. Every care has been taken with the details, and every care will be taken to render them fit to be laid before your Lordships in a short time. I hope this answer will be satisfactory to your Lordships; and my noble and learned Friend will excuse my going any further.

LORD BROUGHAM: I said, somewhat irregularly, whilst my noble and learned Friend opposite was speaking, that nobody could be more gratified by having a trespass committed on his manor than I should be by my noble Friend's trespass on mine; and I have only to add, that I should be still better pleased by my noble and learned Friend on the woolsack making himself an accomplice in that trespass; and I am glad that he has announced his intention of doing so. I hope my noble and learned Friend will, on Tuesday next, give us reason to believe that he has taken up that most important measure—Criminal Law Reform. Passing to another branch of the same great subject of the improvement of our jurisprudence, I hope he will also tell us that, on behalf of the Government, he will introduce a measure for the further improvement of the County Courts.

THE QUEEN'S ANSWER TO THE ADDRESS.

The LORD HIGH STEWARD (the DUKE of MONTROSE): It is my duty to inform your Lordships that I have presented to Her Majesty the Address agreed to yesterday by your Lordships in Answer to Her Majesty's Speech from the Throne, and that I have obtained this Answer, which I am commanded to communicate to your Lordships. The noble Duke then read the Answer as follows:—

"MY LORDS,

"I THANK you for your loyal and dutiful Address.

"IT will be My constant Desire to co-operate with you in Measures calculated to advance the permanent Interests and Welfare of My People."

MESSAGE FROM THE QUEEN—FUNERAL OF THE DUKE OF WELLINGTON.

The LORD HIGH STEWARD said, he had to acquaint the House, that he had a Message under Her Majesty's sign-manual, which Her Majesty had commanded him to deliver to their Lordships:—

The LORD CHANCELLOR accordingly read the Message, as follows:—

"VICTORIA R.

"Her Majesty, desirous of marking in the most solemn manner Her sense of the pre-eminent Services of the late Field Marshal the Duke of Wellington, and of affording to Her Subjects an opportunity of testifying their veneration for his memory, and their sorrow for the loss which they have sustained by his death, has directed that measures should be taken for the public interment, at the earliest possible period, of His Grace's mortal remains in the Cathedral Church of St. Paul's.

"The Queen is persuaded that, in taking this step, Her Majesty has only anticipated the general wishes of Parliament and of the Country, and that you will afford to Her Majesty your cordial aid and concurrence in giving to the mournful ceremony a degree of solemnity and importance worthy of the country and of the occasion.

"Her Majesty is confident that you will readily concur in any suitable provision which may be made by the liberality of the House of Commons for the due discharge of this debt of Public gratitude and tribute of national sorrow."

The EARL of DERBY: I beg to move that Her Majesty's most gracious Message be taken into consideration on Monday next. And at the same time I shall move your Lordships to appoint a Committee for the purpose of inquiring, considering, and reporting to your Lordships, in what manner the propositions of the Message shall be carried out, and in what manner this House shall join in the proceedings consequent thereon.

Agreed to.

House adjourned to Monday next.

HOUSE OF COMMONS,

Friday, November 12, 1852.

THE DERBY ELECTION—MAJOR BERESFORD.

SIR ALEXANDER COCKBURN presented a petition from certain electors of Derby, all of them persons of great respectability, complaining that at the last election for that borough systematic bribery was resorted to for the purpose of procuring the election of Thomas Berry Horsfall, Esq., as a Member for that borough; and that the Right Hon. Major Beresford, a Privy Councillor, a Member of Her Majesty's Government, Secretary at War, and a Member of that House, was himself a party to such bribery, through one John Frail, who had conducted it. He (Sir A. Cockburn) also begged to give notice that, on Monday next, he should move that that petition be printed with the Votes, and that on Friday, the 19th, he should move for the appointment of a Select Committee to inquire into and report upon the allegations contained in the petition, or otherwise, as the House might think fit.

BETHLEHEM HOSPITAL.

MR. FITZROY said, he wished to put a question to the right hon. Gentleman the Secretary of State for the Home Department in reference to the statements recently made as to the alleged ill-treatment of the patients in Bethlehem Hospital, and to the reports of the inquiry thereunto, which had appeared in a morning journal, and also to ask whether he would have any objection to lay on the table of the House a copy of the Report made by the Commissioners who conducted the inquiry in question?

MR. WALPOLE said, the Commissioners' Report was communicated to him in the summer, and in consequence of the nature of that Report he felt it his duty to send to the Governors of the Hospital to know what observations they had to make upon it. He should think it his duty to lay the Report, with their observations, on the table of the House, in order that Parliament might consider and determine the course proper to be taken. Those observations he had pressed for from time to time, and he had been informed that they would be sent. They had, however, not yet come; and without them he did not think it exactly fair towards the Governors of the Hospital to lay the Report upon the table. He thought it only right that those who were implicated by the inquiry should have an opportunity of stating their case.

MESSAGE FROM THE CROWN—FUNERAL OF THE DUKE OF WELLINGTON.

The Right Hon. Cecil Forester, Comptroller of the Household, appeared at the bar, and stated that he had a Message from Her Majesty. The right hon. Gentleman then advanced to the Chair, and delivered the message into the hands of Mr. Speaker.

MR. SPEAKER read the Message, as follows:—

"VICTORIA R.

"Her Majesty, desirous of marking in the most solemn manner Her sense of the pre-eminent Services of the late Field Marshal the Duke of Wellington, and of affording to Her subjects an opportunity of testifying their veneration for his memory and their sorrow for the loss which they have sustained by his death, has directed that measures should be taken for the public interment, at the earliest possible period, of His Grace's mortal remains in the Cathedral Church of St. Paul's. The Queen is persuaded that, in taking this step, Her Majesty has only anticipated the general wishes of Parliament and of the Country, and that you will afford to Her Majesty your cordial aid and concurrence in giving to the mournful ceremony a degree of solemnity and importance worthy of the Country and of the occasion.

"Her Majesty relies on the liberality of Her faithful Commons to make suitable provision for the due discharge of this debt of Public Gratitude and tribute of National sorrow."

The CHANCELLOR OF THE EXCHEQUER said: I will propose for the consideration of the House an answer to Her Majesty's most gracious Message on Monday next.

MR. HUME would beg to suggest that the right hon. Gentleman should, at the same time, lay on the table of the House an estimate of the probable expense.

The CHANCELLOR OF THE EXCHEQUER: I also take this opportunity of referring to a subject mentioned yesterday. It is my intention on the 26th of November to lay before the House those alterations in our system of taxation which we think the change in our commercial system renders necessary. The House will permit me to say, if any notice is brought forward the object of which is to prevent me making that statement, I reserve to myself the right to take a different course.

THE ADDRESS—REPORT.

LORD LOVAINE brought up the Report on the Address.

MR. FAGAN said, he had reason to complain of a statement put forth in the Speech last evening. Hon. Members complained yesterday of the ambiguity and deception which characterised some portions of that document; but he thought the Irish Members had more right to complain of the unnecessary and uncalled-for libel it contained on the people of Ireland. Her Majesty had been advised to state to the House that there existed in Ireland "an unhappy spirit of insubordination and turbulence." For his part, he was not in a position to guess at what that allusion pointed. If it was to agrarian disturbances, he would join with the Government in endeavouring to repress those disturbances which were a stain on the country, and tended to prevent the amelioration of its social condition. But he did not believe that that was the intention of the allusion. Neither did he believe that the noble Lord the Member for London (Lord John Russell) was right in supposing that reference was made to the natural excitement at the last elections in Ireland. What was the cause of that excitement? He traced the cause to a proclamation of the Government which revived the forgotten penalties of the Emancipation Act, and interfered to prevent many of the religious services of the Roman Catholic population. The result of that proclamation was seen in the Stockport riots, and in the insults offered to the Roman Catholic clergy in the public streets immediately after it was issued. Speaking of the city which he represented, and which had been pointed to as one where excitement existed during the recent election, he knew that the excitement was not greater on that occasion than at any former election. He must therefore say that the expression in

Her Majesty's Speech relating to Ireland was a libel, uncalled for, and totally undeserved; and at that moment he could say with all sincerity that he did not know to what the Government alluded. With respect to the relations between landlord and tenant in Ireland, he was afraid the measures contemplated by the right hon. and learned Attorney General for Ireland would not give satisfaction. He was greatly afraid it was the right hon. and learned Gentleman's intention to leave the whole matter to the landlords in Ireland. It was no doubt the interest of the landlords of Ireland to develop the resources of the country; but he (Mr. Fagan) was afraid, judging from past experience, that they were blinded to their own interest; and he was of opinion that if the Government wished to develop the natural wealth of Ireland, they could not attain that end by leaving the matter in the hands of the landlords, and without doing at the same time justice to the tenant-farmers.

Mr. NAPIER said, if any libel had been meant upon Ireland in the passage in question, he should have been quite as ready to resent such an imputation as the hon. Gentleman the Member for Cork himself (Mr. Fagan). But, the truth was, there had been such a deliberate design on the part of some persons to misunderstand portions of Her Majesty's Speech, and such a determination that plain language and plain English should be ambiguous, that really he was not surprised that persons should again come down to the House to torture from passages in that document a meaning they were never intended to express. The passage of the Speech in which allusion was made to Ireland was as follows:—

> "I trust that the general improvement, notwithstanding many obstacles, has extended to Ireland; and while I rely with confidence on your aid, should it be required, to restrain that unhappy spirit of insubordination and turbulence, which produces many and aggravates all of the evils which afflict that portion of my dominions, I recommend to you the adoption of such a liberal and generous policy towards Ireland as may encourage and assist her to rally from the depression in which she has been sunk by the sufferings of late years."

How it was possible to torture this passage into a call upon Parliament to adopt coercive measures towards Ireland, he was at a loss to conceive. The language was plain and direct, and meant that, in the event of bad men taking advantage of the spirit of insubordination, which it must be admitted had existed in Ireland, Her Majesty's Government hoped that Parliament would lend its aid to maintain the authority of the law. If the Government had meditated any present appeal to Parliament on this head, the language would have been different. For a long series of years past it had been the complaint of Irish Members that no remedial measures had been brought forward with a view to ameliorate the social condition of the people, and especially the relationship between landlord and tenant; and thence, they contended, the necessity for Coercion Bills. Now, however, Her Majesty did not say she asked for any coercive measures with regard to Ireland. So far from that, she suggested to Parliament what he (the Attorney General for Ireland) hoped Parliament would be ready to carry out, and what Ireland needed and expected, and had a right to expect—a liberal, generous, and high-minded policy, to enable it to rise from the depression in which it had lately been sunk. With respect to the Bills which he himself intended to introduce, he would ask that before any discussion took place on those Bills, they should be read and understood. He did not know whether those measures would satisfy the hon. Member for Cork; but he hoped they would satisfy all those who were sincere in desiring the welfare and prosperity of Ireland.

Mr. JOHN MACGREGOR said, he wished to notice a passage in the Speech which related to the difficulties or the misunderstandings that had taken place between this country and that of the United States of America, on the subject of the North American fisheries. That was a question of the greatest importance, inasmuch as it might have broken the peace and tranquillity existing between this country and the United States, and prevented the reception in this country of the raw material of cotton so necessary for our manufactures. His view with regard to that question corresponded with that taken by Mr. Pitt immediately after the peace of 1783, when a proposal was made during the Presidency of Washington, by Mr. Adams, for placing the commercial and maritime intercourse between England and the United States on the footing of a coasting trade. That proposal fell through in consequence of the breaking-up of the Shelburne Administration, in which Mr. Pitt was Chancellor of the Exchequer. The amazing progress of America since 1759, when we conquered Canada, rendered such a policy more than ever desirable. Ninety-three years ago, there was no British subject who possessed an acre of land north of a few small villages in Nova Scotia and Maine, nor south of a small colony in Georgia, nor east of the Alleghany Mountains. Now, all the countries from the shores of the Atlantic to the coasts of the Pacific; from Hudson's Bay to the Gulf of Mexico, were under the dominion of two great Governments, the British and the United States, the inhabitants of which speak, write, and legislate in the English language. The population during the same period had increased from less than two millions to more than thirty millions. If there was one policy more than another which the Government should pursue, it should be to maintain amicable relations between this country and the United States, by placing all the navigation of all the British dominions in North America and the United States as nearly as possible upon the footing of a coasting trade; to allow the citizens of the United States to fish without restriction in the British American Seas, on condition that the fish caught or cured, by British fishermen, should be admitted free of duty for consumption in the United States; and to admit all British colonial articles, on payment of no other duties than we should be paid on similar articles imported from the United States into the said Colonies. During the period of the late Government, when his noble Friend the Member for Tiverton (Viscount Palmerston) held the seals of the Foreign Office, and also during the term that the Earl of Aberdeen was Foreign Secretary, those amicable relations had been kept up. The Earl of Aberdeen had most wisely made those concessions to the fisheries, and maintained the harmony which it was just and proper to observe. In consequence also of the adjustment of the boundary question and the settlement of the Oregon boundary, the affairs of this country and the United States were put on such a footing as to leave no cause of disagreement between the two countries except this fishery question. Every commercial man in the country looked forward with the greatest anxiety to the satisfactory adjustment of the fishery question; and he trusted the negotiations now pending would be settled upon the principle of a free and uninterrupted course between the countries. He trusted that the citizens of the United States would have the freedom of fishing in the British North American seas, and that the British North American Colonies would have a free intercourse with the United States.

Captain **WALCOTT** said, he begged to trespass on the attention of the House for a few moments while he adverted to the first topic referred to in the Address. He rose for the purpose of expressing his admiration of an illustrious individual whose services were known and acknowledged throughout the world. He rejoiced that it was the intention of the country to place his remains in St. Paul's Cathedral, by the side of the heroic Nelson; and no person could ever pass that building without offering a thanksgiving to God that two such men had been given to promote the glory and welfare of the country. He was sure that through the length and breadth of the land but one opinion would prevail as to the merits of that illustrious individual, and that every mark of national gratitude would be paid to his remains.

Viscount **PALMERSTON**: Sir, I called the attention of Her Majesty's Government yesterday to that passage in Her Majesty's Speech which alludes to the co-operation of the Government of Brazil for the suppression of the slave trade, and to the significant omission of any mention in that paragraph of a similar co-operation on the part of the Spanish Government to put an end to the slave trade in Cuba. I am afraid that omission is but too significant, considering that we have seen lately in the newspapers an account of the landing of several cargoes of slaves on the coast of Cuba. It is undoubtedly without any excuse on the part of the Spanish Government that such an infraction of the treaty between Spain and this country should continue. I am afraid there are influences at Madrid, and pecuniary interests in Cuba, which tend to induce the Government of Spain to forget its treaty obligations, and to omit to perform its duty in regard to this important matter. It has exposed itself also to the imputation—whether well or ill founded it is not for me to say—that it is part of its policy, with regard to the retention of the island of Cuba, to encourage the increase of the black population, believing that in proportion as the blacks increase, the fears of the whites may increase also; and that the increase of the slave population may tend to make the white population cling more closely to the mother country for protection. I do hope that no such motive influences the Government of Spain. My object in rising is to state to Her Majesty's

Government that I would wish, after this Motion is disposed of, if they see no objection, to move for a return of the number of negroes landed in Brazil and Cuba respectively, from the date in 1851 at which the last return was made up, to the latest period in 1852 to which information has been received. I am sure the Government can have no objection to grant those returns, which will show the extent to which the Spanish and Brazilian Governments have adhered to their obligations.

Mr. MAGAN said, he wished to have an explanation as to what was meant in the Speech from the Throne by "the spirit of insubordination and turbulence in Ireland?" The right hon. and learned Gentleman the Attorney General for Ireland had explained the matter as well as he could, and he understood him to say that the phrase had reference to past insubordination and turbulence; but it was placed in the Speech in the present tense, and the Irish Members were exceedingly anxious that the noble Lord the Chief Secretary for Ireland would tell them in that plain language for which the Government were so justly celebrated, according to their own account, what meaning he attached to these words. Did it mean that the people were not ready to submit to the brutal efforts that were used in nearly every county in Ireland by the emissaries and agents of Her Majesty's Government to vote against their own consciences? That was the fact. He did not intend to enter into any lengthened discussion at present; but some other opportunity would offer on which he would call attention to the conduct of the agents of the Government in three counties with which he was connected, and particularly in the county represented by him. He hoped the noble Lord would have no objection to act as the dictionary of the Government, and tell them what was meant by those words to which he had alluded.

Lord JOHN RUSSELL: Sir, there are some important subjects referred to in Her Majesty's Speech, of which no notice has been taken—one with regard to the Burmese war, and another with regard to the continuance of the war with the Kafirs at the Cape of Good Hope. There is another subject on which I should wish to ask a question of the right hon. Gentleman the Secretary for the Colonies. Some time ago the Parliament of Canada expressed a desire that the Act with regard to the Clergy Reserves of the Imperial Parliament should be repealed, and that the Parliament of Canada should have power, with the consent of the Crown, to deal with the subject. The right hon. Gentleman stated last year very fairly that that had been the decision of one Parliament in Canada, but that a general election had taken place, that the decision of the new Assembly might be different, and that they might no longer express that wish. For my own part, if the people of Canada are contented with the arrangements made by the Imperial Parliament, it would be very desirable that they should be continued; but if, on the other hand, it was the decided wish of the people of Canada, as expressed by their Parliament and by their representatives, that a different arrangement and distribution should be made of the funds raised for the Clergy Reserves, I think, provided the interests of the present holders should be secured, and no vested interests affected, it is a subject entirely for the people of Canada. I cannot conceive that either the Crown or the people of this country have the smallest interest in wishing to prevent the settlement of that question by the representatives of such an important province as Canada, with its large population, and in the united form it now is. There was a despatch sent out on the subject that seemed to go more into the merits of the question than it was necessary to do, but on which I wish to make no remark. It appears that there has been in the new Parliament of Canada a considerable discussion on the subject, which has been transmitted to me in a newspaper, and that a resolution proposed by the Ministers, expressing a wish that an Address should be presented to the Crown, praying that they might have full power with the question, has been carried, I understand, by a majority of 54 to 22. Under these circumstances, I should think that the Government can have no difficulty in introducing a measure in a short time to enable the Parliament of Canada to deal with the subject. As no notice has been taken of it in the Speech from the Throne, I beg to ask the right hon. Gentleman the Secretary for the Colonies if the Government have come to any decision respecting it?

Sir JOHN PAKINGTON: I can assure the noble Lord and the House that I am quite sensible, and so are Her Majesty's Government, of the importance of the subject to which he has called my attention. The noble Lord has adverted with perfect accuracy to what fell from me on this subject last Session, and the despatch sent out to Canada respecting it. The noble Lord has also adverted to the proceedings that have lately taken place in the new Parliament in Canada. I believe that on the division which took place, the numbers approached very nearly to what the noble Lord has stated; but it was only one of several divisions that took place on the subject. The resolution that has been agreed to, and the proceedings of the Canadian Parliament, have been forwarded by the Governor General, have been received, and are now under the consideration of Her Majesty's Government. Therefore, I am not at present prepared to announce definitely the intentions of the Government; but when a decision is formed it will be made known. The noble Lord having adverted to another subject of great and general interest—the Kafir war—I regret it is not in my power to communicate at this moment intelligence on that subject so decided as I would wish. It is now nearly a month since any additional reports have been received; but I am happy to say that the additional reports we received by the mail in October were certainly of a more satisfactory character than any that had been received for a long period. We have had long experience of the protracted and tiresome nature of the war; but, judging from those reports, the war appeared to be gradually dying away and wearing itself out, and we may expect that the next mail may bring us some satisfactory information.

Sir De LACY EVANS said, he thought that information should be afforded them from time to time which would enable that House to judge of the events that were taking place at the Cape, the House not being at present clearly informed as to what objects are contemplated in carrying on the war. One event had occurred on which he begged to congratulate the Government—he meant the arrangement with Mr. Prætorius and the boers who acted in conjunction with him. It was very much to be lamented that that course had not been adopted some years ago, and he should like to know if they might anticipate some amicable arrangement with the other inhabitants of those territories, founded upon similar principles. He hoped the right hon. Gentleman would soon be able to lay despatches on the table showing the objects of the war, and the prospects of a final termination of it.

Mr. HUME said, he wished to refer for a moment to what had fallen from the noble Lord the Member for Tiverton (Viscount Palmerston) on the subject of the slave trade. The noble Lord had taken a warmer interest in this subject, and had been longer engaged in endeavouring to prevent that traffic, than any other man. He gave him credit for the object he had in view, and he asked the noble Lord whether the time had not come when he might, with advantage, bring the whole question before the House? We had paid some 900,000*l.* to Spain, and some 400,000*l.* or 500,000*l.* to Portugal, on the express condition of their suppressing the slave trade; and he thought the noble Lord might, with great propriety, take an early opportunity of stating to the House what our engagements were with those countries; what we had paid them; whether any return had been made for those payments; and what steps ought now to be taken. He wished also, before sitting down, to call the attention of the Government to a request made by an hon. Member from Ireland (Mr. Magan). The hon. Gentleman asked a simple question, and courtesy required that it should be answered. There was a doubt as to the precise meaning of certain words in the Royal Speech, used with reference to Ireland, and he thought an answer to the question should be given.

Lord NAAS said, the question put to him by the hon. Member for Westmeath was simply whether he would give an interpretation of a paragraph of Her Majesty's Speech which referred to Ireland. Holding the opinion he did, that that paragraph was perfectly intelligible and clear, he could not add, by any explanation he could give, anything to the clearness of the passage, or to the explanations that that had been already given by his right hon. and learned Friend the Attorney General for Ireland. If an assurance on the part of Her Majesty that the Government was prepared to deal in a liberal and generous manner with Irish affairs and interests, did not please or suit hon. Gentlemen opposite, it was not the fault of the Government.

Mr. HADFIELD begged to call the attention of the House to the paragraph in the Speech which referred to legal reform, and said he must complain of the expense and inconvenience of refusing probates in different parts of the country where property was transferred. He wished to know whether by the recent arrangements one probate would serve for the property of testators in all parts of the country?

MR. SIDNEY HERBERT: Sir, I wish to ask a question with reference to part of the Speech on which no information has yet been given. The paragraph in the Speech referring to the difficulties that arose during the last summer with respect to our Colonial fisheries conveys an impression as to the origin of those difficulties, and as to the course taken with regard to them, and likewise as to the result likely to ensue from the negotiations, at variance, I think, with the public impressions on the subject. Of course, the information in the hands of the Government, on the subject to which this paragraph alludes, would, if produced at once, set at rest any doubts that exist on that point. I gather from the conclusion of the second paragraph that those negotiations are not yet terminated, and in that case, of course, it would not be proper to press the Government to give any information or lay any papers on the table of the House respecting them; but it is important we should know, if there be a prospect of an early settlement of the question, and at what period the Government would be enabled to lay on the table of the House the papers and correspondence respecting these negotiations.

The CHANCELLOR OF THE EXCHEQUER: Sir, it will be quite impossible for Her Majesty's Government, in the present state of the question, to lay any papers on the table of the House. I can only repeat what I believe is mentioned in the Speech, that the Government of the United States has agreed to enter into negotiations with us in the most friendly spirit, and in such a way as to lead to increased commercial relations between the two countries. The spirit in which the negotiations between the two Governments have taken place, has been of the most friendly character, and I think the result will prove very satisfactory; but, of course, under these circumstances the House cannot expect that the Government will lay any papers on the table on this subject.

MR. SHEE said, he was unacquainted with the course which was generally adopted by Government in answering questions put to them by independent Members of the House; but when questions were put in terms of courtesy to Her Majesty's Ministers, he did not think they should give such off-hand answers as had been given that evening. First, they refused to answer the question of an hon. Member for an Irish county, and then an answer was reluctantly given to the remark of the hon. Member for Montrose (Mr. Hume), by the noble Lord the Chief Secretary for Ireland. Being a very plain man himself, he understood plain English according to its ordinary sense and meaning, and when Her Majesty was advised by Her Ministers to speak of "an unhappy spirit of insubordination and turbulence which produces many and aggravates all of the evils which afflict that portion of Her Majesty's dominions," he understood the Queen to mean, and he understood Her Majesty's Ministers to mean, if they meant anything, that there is now existing "an unhappy spirit of insubordination and turbulence in that part of her dominions," which seriously increases and aggravates the evils by which they are afflicted. Now, they had no explanation of that language. Were the Members sent from Ireland to that House to understand that it was not the intention of Ministers to propose any measure for the repression of an existing "unhappy spirit of insubordination and turbulence?" He rather guessed it from what had been said by the right hon. and learned Gentleman the Attorney General for Ireland; but the right hon. and learned Gentleman did not say it very distinctly, nor, indeed, had anything been said very distinctly by any hon. Gentleman who had spoken on the other side of the House. The only Member who spoke out on that side, was an hon. and learned Friend of his, the hon. and learned Gentleman who seconded the Address, and he did come out boldly and frankly with the declaration that he was for free trade. The hon. Gentlemen who came after him did not seem inclined to follow the lead, and they hemmed and hawed, and spoke in such a way that a new Member of the House could not, at all events, understand what they meant. After the right hon. and learned Gentleman the Attorney General for Ireland had spoken, the noble Lord the Chief Secretary for Ireland stood up and expected them to believe that those words, "insubordination and turbulence," were only inserted in the Speech to make a rounded period; and that the real purport of the sentence was to inform the House that that which was not to be expected from the hon. Gentlemen opposite—namely, a course of generous and liberal measures for Ireland—was all that was intended by this sentence in Her Majesty's Speech. The right hon. and learned Attorney General for Ireland and the noble Lord the Secretary for Ireland had both spoken; and he (Mr. Shee) now appealed to the candour of his right hon. Friend the Secretary of State for the Home Department, who was specially charged, as a Member of Her Majesty's Government, with the administration of the affairs of Ireland, and he asked him first, would he get up in that House and say that the words in Her Majesty's Speech to which attention had been called did not mean, yesterday, whatever they meant that day, " an existing spirit of insubordination and turbulence in Ireland," which it was the intention of Her Majesty's Ministers to repress? If they did not mean that yesterday, what did they mean? Did hon. Gentlemen opposite intend to tell that House that the Government had advised Her Majesty to insert words of mere insult in the Speech with reference to Her Majesty's subjects in Ireland? Her Majesty had visited that part of Her dominions but a short time ago, and was received in a manner in which She had never been received in this country, notwithstanding the attachment of the people of this country to Her person and family, and the loyalty they had always evinced. He asked his right hon. Friend the Secretary of State for the Home Department if yesterday (whatever they meant that day) those words did not mean that there was an existing spirit of insubordination and turbulence in Ireland, which it was the intention of Her Majesty's Government to repress? He wished, secondly, to ask him to state distinctly—that they might know the intentions of Government before the Motion of the hon. Member for Wolverhampton (Mr. C. Villiers) was submitted to the House—whether Her Majesty's Government intend to propose any coercive measures of any kind, or any measures restrictive of the civil and religious liberties of Her Majesty's Roman Catholic subjects in Ireland?

Mr. WALPOLE said, that his hon. and learned Friend having pointedly referred to him, he rose to answer the question. He understood his hon. and learned Friend to ask whether by the latter words of the Address the Government meant to say that they intended to bring in any measure to repress the turbulence and insubordination there alluded to. His answer was, that the Government did not, and he hoped that answer was distinct and clear. Still, however, he must say, that turbulence and insubordination to a certain extent did unquestionably exist in Ireland. He did not wish to provoke discussion, yet everybody must be aware that one of the last things which it was necessary for the Government to do before the dissolution of the late Parliament was to renew a Bill for one year for proclaiming certain districts in Ireland, in consequence of there then being counties in Ireland exposed to what might be called turbulence and insubordination, which rendered that Act necessary. In some counties it was still necessary to continue the operation of that Act. But he, for one, should be glad to find that the generous and liberal policy alluded to in the same paragraph of the Queen's Speech, and more pointedly alluded to than the turbulence and insubordination, might have the effect of removing all necessity at no distant period for any of those measures which had peculiarly affected Ireland in consequence of the turbulence and insubordination which had prevailed there. The meaning of the paragraph in the Queen's Speech was both general and particular: general, inasmuch as the Government did not intend to do anything in respect to Ireland of any sort or kind which could be construed as contrary to a generous and liberal policy, taken in the largest sense of the word; and particular, inasmuch as it was intended in the course of the Session to bring in certain measures of a liberal and generous policy towards Ireland, and, among them, a settlement of the whole relations between landlord and tenant, including in that settlement the much-vexed question which was now anxiously discussed in Ireland—namely, compensation for unexhausted improvements. This was the policy which they intended to pursue, and he trusted that it would be responded to by the people of Ireland in the spirit in which it was offered.

Report agreed to.

BILLS OF EXCHANGE AND NOTES (METROPOLIS) BILL.

Mr. WALPOLE said, he begged to give notice of his intention to bring in a Bill, which would require the suspension of all the Standing Orders, in order that it might pass through the House on Monday next. The object of the Bill would be to declare that the day appointed for the funeral of the Duke of Wellington should, as regards the payment of bills of exchange and promissory notes, be treated as the "Lord's-day," commonly called Sunday. From all he could hear, he believed that if some such provision were not made, great inconvenience would be experienced by the commercial and banking classes.

The House adjourned at Six o'clock.

HOUSE OF LORDS,

Monday, November 15, 1852.

MINUTES.] *Took the Oaths.*—Several Lords. *Sat First in Parliament.*—The Lord Panmure, after the Death of his Father.

THE DUKE OF WELLINGTON'S FUNERAL (BILLS OF EXCHANGE AND NOTES) BILL.

The EARL of DERBY: My Lords, I have to move the First Reading of a Bill which has been passed by the other House of Parliament under rather peculiar circumstances, which make it necessary that I should ask your Lordships to dispense with your Standing Orders in order that it might be passed as speedily as possible. The Government has received representations on the part of a great number of merchants and commercial men of the city of London, with respect to the great inconvenience that will arise in connexion with the presentation and payment of bills falling due on Thursday next, the day of the Duke of Wellington's funeral, unless some arrangements be made by Parliament. It is proposed, therefore, to enact that Thursday next shall be considered a *dies non;* and that all bills falling due on that day shall be presented and be payable on Wednesday; but that if these bills are paid before two o'clock on Friday, the parties shall be subjected to no notarial charges arising from the delay.

Bill read 1^a; to be *printed;* and to be read 2^a *To-morrow.* And Standing Orders Nos. 37 and 38, to be considered, in order to their being dispensed with.

MESSAGE FROM THE QUEEN—FUNERAL OF THE DUKE OF WELLINGTON.

The Queen's Message considered.

The EARL of DERBY again rose and said: I have now to ask your Lordships to agree to an Address to Her Majesty in answer to Her Majesty's gracious Message of Friday last, in reference to which I am sure that it is quite unnecessary for me to say a single word, because I am convinced that it will meet with the universal concurrence of your Lordships. And if I had not been convinced of this before, the language of general eulogy which I heard in this House a few days ago would have relieved me from the necessity of addressing your Lordships at any length, and would have made me perfectly certain that you would have but one feeling as to the propriety of doing all that you at present can to honour the memory of the late Duke of Wellington in that public funeral which Her Majesty, in anticipation of the wishes of Parliament and the country, has already directed. I beg therefore to move—

> "That an humble Address be presented to Her Majesty, to express to Her Majesty the Thanks of this House for Her Majesty's most Gracious Message of Friday last, humbly to thank Her Majesty for having given Directions for the Public Interment of the mortal Remains of His Grace The Duke of Wellington in the Cathedral Church of Saint Paul, and to assure Her Majesty of the cordial Aid and Concurrence of this House in giving to the Ceremony a fitting Degree of Solemnity and Importance."

On Question, *agreed to, Nemine Dissentiente.*

The EARL of DERBY then said: I have now to move the following Resolution:—

> "That this House will attend at the Solemnity of the Funeral of Arthur Duke of Wellington in the Cathedral Church of St. Paul on *Thursday* next."

On Question, *agreed to, Nemine Dissentiente.*

It was also *moved*—

> "That a Select Committee be appointed to consider the Circumstances relating to the Attendance of this House and their Place at the Solemnity of the Funeral of Field Marshal the late Duke of Wellington."

The DUKE of CLEVELAND said, that he wished to suggest to the First Lord of the Treasury the propriety of giving facilities for the departure and return from the cathedral of St. Paul of those persons who had been officially engaged in the procession and solemnity. He thought it was but reasonable that if those persons were not to return in procession, they should have some priority of departure over those who were present merely as spectators.

The EARL of DERBY said, he need hardly assure the noble Duke that the question of the whole of the arrangements connected with the funeral had been a matter of very anxious consideration on the part of the Government, and of those connected with the responsibility (for such it was) of conducting a ceremony of such magnitude; and he had no doubt that provision had been made for the fitting accommodation of those persons who had to join officially in the procession, and for facilitating as far as possible their return after the ceremony had been performed; but he thought it would be convenient, if their Lordships agreed to the appointment of a Committee, that that Committee should have in attendance before them on the following day Garter King-at-Arms, from whom they might ascertain what were the precise arrangements made, and then the Committee or any noble Lord would have an opportunity of suggesting any alterations which they thought desirable; and if it was possible to make them within the limited time which remained, he was sure that every person engaged would be ready to pay the utmost deference to the wishes of the House, and would have every disposition to meet them.

On Question, *agreed to.*

House adjourned till To-morrow.

HOUSE OF COMMONS,

Monday, November 15, 1852.

MINUTES.] PUBLIC BILLS.—1° Bills of Exchange and Notes (Metropolis).

2° Bills of Exchange and Notes (Metropolis).

Reported.—Bills of Exchange and Notes (Metropolis).

3° Bills of Exchange and Notes (Metropolis).

THE DUKE OF WELLINGTON'S FUNERAL —THE DEAN AND CHAPTER OF ST. PAUL'S.

SIR DE LACY EVANS said, he wished, in consideration of the public anxiety to participate in the coming solemnity at St. Paul's, to ask what number of places had been allotted in the cathedral to the Dean and Chapter during the approaching solemnity?

MR. WALPOLE said, he believed that the mode in which the tickets for St. Paul's had been allotted was this:—that all those who attended the funeral, whether as deputations or otherwise, would have places allotted for them, as, for instance, the Members of the House of Lords and of the House of Commons, Privy Councillors, Knights of the Bath, the Trinity House, and so on. Then there would be accommodation for peeresses, foreigners of distinction, ambassadors, and persons of that class. A certain number of tickets would be allocated to the Horse Guards, for officers who had served under the Duke of Wellington; the same provision had been made for the Ordnance, the Artillery and Engineers, and for the Admiralty and naval officers. The total number of tickets for the different public offices, including a certain number allotted to the Lord Chamberlain, would be upwards of 7,000. Then the Dean and Chapter would have the remainder of the tickets, out of which provision was to be made for the city. Perhaps the hon. and gallant Gentleman was not aware that at the time of Nelson's funeral the whole distribution of tickets was under the care of the Dean and Chapter. It was very different, however, on the present occasion.

SIR JOHN SHELLEY said, he was of opinion that the right hon. Gentleman had not completely answered the question put to him: he would therefore beg to ask whether it was true that a large number of seats—something like 3,000—had been reserved for the Dean and Chapter of St. Paul's?

LORD JOHN MANNERS said, it was not true that 3,000 seats were reserved for the Dean and Chapter, but 3,000 seats had been reserved for them and the city of London. He might take this opportunity of stating that it was altogether untrue that the Dean and Chapter of St. Paul's had made any application for 3,000 or 5,000 tickets—or, indeed, for any number whatever. Looking to what had been done on past occasions, the Government had thought it right to offer the Dean and Chapter a certain number of seats. The Dean and Chapter had offered every possible facility; and he took this public opportunity of saying that their conduct on this important and solemn occasion had been marked by the strongest desire to consult the public convenience and public feeling.

THE CONVOCATION.

MR. J. A. SMITH begged to ask the right hon. Secretary of the Home Department whether any communication had been made by the Archbishop of Canterbury to the Government with reference to the present sitting of Convocation, and whether it was intended that it should continue to sit or be prorogued as usual?

MR. WALPOLE said, that as far as he was aware, no communication such as the hon. Member referred to had been made to any Member of the Government; certainly none such had been made to him. In answer to the other branch of the question—namely, whether the Convocation was to be allowed to continue sitting, or to be prorogued as usual, he begged to state that the usual course would be observed, and this was intended from the beginning.

THE COAL TRADE.

MR. LIDDELL said, he wished to ask the noble Under Secretary for Foreign Affairs whether any communication had taken place between our Government and the Government of France relative to the equalisation of the duties levied on British coal when imported into the latter country?

LORD STANLEY said, that the subject to which the hon. Member's question referred was one on which the attention of the Government had for some time past been fixed. The Government was fully aware of the great benefit which would accrue to British interests, and he believed to French interests also, by the establishment of lower rates of duty on British coal imported into France, than those at present enforced; but, under all the circumstances of the case, and considering the nature of our commercial relations with France, it had been thought better not to enter into any negotiations on this subject separately. Communications relative to it had passed between the two Governments, and from those communications it appeared that the Government of France was favourably disposed—as was also the Government of this country—to making considerable modifications in the present international commercial system.

THE QUEEN'S ANSWER TO THE ADDRESS.

MR. FORESTER appeared at the bar, and stated that, having presented to Her Majesty the Address of the House in answer to the Speech from the Throne, the Queen had been pleased to make the following gracious reply:—

> "I have received with satisfaction your loyal and dutiful Address.
>
> "I rely, with confidence, on your co-operation with Me in My endeavour to promote the welfare of all classes of My subjects."

BILLS OF EXCHANGE AND NOTES (METROPOLIS) BILL.

MR. WALPOLE rose, pursuant to notice, to move for leave to bring in a Bill to make provision concerning bills of exchange and promissory notes payable in the metropolis on the day appointed for the funeral of the Duke of Wellington. This course was taken in consequence of the representations make to him by bankers and members of the commercial interest as to the great inconvenience that would arise from having bills of exchange payable on a day when the streets would be filled with the dense crowds that might be expected to assemble on that occasion, and which would render it impossible for persons engaged in business to pass from place to place. The Bill would provide that bills of exchange and notes falling due on the day of the funeral should be payable on the day before. It was evident that this arrangement could not be injurious to the holders of bills, while the only inconvenience which could result to payers would be, that in the event of their not being prepared to take up their acceptances on the day before their funeral, they would incur certain notarial charges on account of the noting of bills. To obviate this inconvenience, he proposed that the payers of bills of exchange should not be liable to notarial charges, provided their bills should be paid by two o'clock on Friday, the day following the funeral.

Leave given.

Bill brought in (the Standing Orders being suspended), was read a first and second time, and committed, without observation.

On the Question, that it be read a Third Time,

MR. MANGLES said, he wished to know whether there was any objection to extending the provisions of the Bill to the whole country? He had reason to know that a wish prevailed generally to have the day of the funeral observed with solemnity throughout the Kingdom.

MR. GLYN begged to express the thanks of the commercial public of Lendon to the right hon. Gentleman for having introduced this Bill, and to the House for the disposition which it showed to pass it. The measure was rendered necessary, not so much from a desire to make a holiday of the day appointed for the funeral, as on account of the absolute impossibility of transacting business on that occasion. Whether or not the rest of the country should be placed on the same footing as London on any future similar occasion, was a question which could not now be properly considered; but he hoped that the right hon. Gentleman would turn his attention to it.

MR. J. L. RICARDO said, it would be desirable to fix the payment of bills peremptorily for Wednesday; otherwise persons in the country—Manchester, for instance—who had payments to make on

Friday dependent on the honouring of bills of exchange in London on Thursday, might be subjected to great inconvenience.

Mr. WALPOLE said, in reference to what had fallen from the hon. Member for Guildford (Mr. Mangles), as to the propriety of extending the operation of the Bill beyond London; that he had considered that point a great deal, and it seemed to him that as the inconvenience to be provided against—namely, the obstruction to business likely to be caused from a dense mass of people, would not extend beyond the metropolis, it was useless to make the measure applicable to the whole country. As to the general question mooted by the hon. Member for Kendal (Mr. Glyn), it was well worthy of consideration whether it would not be expedient to introduce a general Bill repealing former Acts, and giving the Crown power, by proclamation, to place days devoted to any peculiar solemnity on the same footing—as regarded bills of exchange—as Sundays, Fast days, and Thanksgiving days.

Mr. J. L. RICARDO said, that as the Bill provided that a bill of exchange paid before two o'clock on Friday should be subject to no notarial charges, it might be assumed that it would be duly honoured if paid under those circumstances.

Mr. WALPOLE said, that the Bill would make bills of exchange due on the 18th presentable and payable on the day before, in the same way as if the 18th were a Sunday; but, inasmnch as the presenting of bills on the 17th might subject payers to certain notarial charges, it was provided that in the event of their meeting their liabilities by two o'clock on the following Friday those notarial charges should not be enforced.

An Hon. MEMBER asked whether it would not be better to make all bills due on the 18th payable on the day after the funeral?

Mr. WALPOLE, in reply, said, that the point had been fully considered. All the commercial authorities whom he had consulted strongly recommended that there should be no departure from commercial usages.

Bill read 3°, and passed.

FUNERAL OF THE DUKE OF WELLINGTON—THE QUEEN'S MESSAGE.

The Queen's Message *considered.*

The CHANCELLOR of the EXCHEQUER rose and said: Mr. Speaker, Sir, The House of Commons is called upon to-night to perform a sorrowful but a noble duty. It has to recognise, in the face of the country and of the civilised world, the loss of the most distinguished of our citizens; and it has to offer to the ashes of the great departed the solemn anguish of a bereaved nation.

Sir, the princely personage who has left us was born in an age more fruitful of great events than any other period of recorded time. Of its vast incidents, the most conspicuous were his own deeds—deeds achieved with the smallest means and against the greatest obstacles. He was, therefore, not only a great man, but the greatest man of a great age. Amid the chaos and conflagration which attended the close of the last century there arose one of those beings who seem to be born to master mankind. It is not too much to say that Napoleon combined the imperial ardour of Alexander with the strategy of Hannibal. The kings of the earth fell before his fiery and subtle genius, and at the head of all the Powers of Europe, he denounced destruction agaiust the only land that dared to disobey him and be free. The Providential superintendence of the world seems scarcely ever more manifest than when we recollect the dispensations of our day—that the same year which gave to France the Emperor Napoleon, produced also for us the Duke of Wellington; that in the same year they should have embraced the same profession; and that, natives of distant islands, they should both have repaired for their military education to that illustrious land which each in his turn was destined to subjugate. During that long struggle for our freedom, our glory—I might say for our existence—Wellesley fought and won fifteen pitched battles—all of them of the highest class—concluding with one of those crowning victories that give a colour and a form to history. During that period that can be said of him which can be said of no other captain—that he captured three thousand cannon from the enemy, and never lost a single gun.

But the greatness of his exploits was, perhaps, even surpassed by the difficulties which he had to encounter. For he had to encounter a feeble Government, a factious Opposition, a distrustful people, scandalous allies, and the most powerful enemy in the world. He won victories with starving troops, and he carried on sieges without munitions. And as if to complete the fatality which attended him throughout life in this respect, when he had at last succeeded in creating an army worthy of the Roman legions and worthy of himself, this invincible host was broken up on the eve of the greatest conjuncture of his life, and he had to enter the field of Waterloo with raw levies and discomfited allies. But the star of Wellington never paled. He has been called fortunate, but fortune is a divinity which has ever favoured those who are at the same time sagacious and intrepid, inventive and patient. It was his own character that created his career—alike achieved his exploits, and guarded him from every vicissitude; for it was his sublime self-control alone that regulated his lofty fate.

Sir, it has been of late years somewhat the fashion to disparage the military character. Forty years of peace have, perhaps, made us somewhat less aware how considerable and how complex are the qualities which go to the formation of a great general. It is not enough that he must be an engineer, a geographer, learned in human nature, and adroit in managing men—he must also be able to fulfil the highest duty of a Minister of State, and then to descend to the humblest office of a commissary and clerk; and he has to display all this knowledge, and to exercise all these duties, at the same time, and under extraordinary circumstances. At every moment he has to think of the eve and of the morrow—of his flank and of his rear. He has to carry with him ammunition, provisions, and hospitals. He has to calculate at the same time the state of the weather and the moral qualities of man; and all these elements that are perpetually changing he has to combine, sometimes under overwhelming heat, and sometimes under overpowering cold—sometimes even amid famine, and often amid the roar of artillery. Behind all these circumstances, too, there is ever present the image of his country, and the dreadful alternative whether that country is to welcome him with laurel or with cypress. Yet this image he must dismiss from his mind; for the general must think—and not only think—he must think with the rapidity of lightning, for on a moment more or less depends the fate of a most beautiful combination, and on a moment more or less depends the question of glory or of shame. Unquestionably, Sir, all this might be done in an ordinary manner, and by an ordinary man, as every day of our lives we see ordinary men who may be successful Ministers of State, successful authors, successful speakers—But to do all this with genius is sublime. Doubtless, to be able to think with vigour, with clearness, and with depth in the recess of the cabinet, is a fine intellectual demonstration; but to think with equal vigour, clearness, and depth amidst bullets, appears the loftiest exercise and the most complete triumph of the human faculties.

Sir, when we take into consideration the prolonged and illustrious life of the Duke of Wellington, we are surprised how small a section of that life is occupied by that military career which fills so large a space in history. Only eight years elapsed from Vimiera to Waterloo; and from the date of his first commission to the last cannon-shot which he heard on the field of battle, scarce twenty years can be counted. After all his triumphs he was destined for another career; and the greatest and most successful of warriors—if not in the prime, at least in the perfection of manhood—commenced a civil career scarcely less successful, scarcely less splendid, than that military one which will live for ever in the memory of men. He was thrice the Ambassador of his Sovereign at those great historic Congresses that settled the affairs of Europe; twice was he Secretary of State; twice he was Commander-in-Chief of the Forces; once he was Prime Minister of England; and to the last hour of his life he may be said to have laboured for his country. It was only a few months before we lost him that he favoured with his counsel and assistance the present advisers of the Crown respecting that war in the East of which no one could be so competent to judge, and he drew up his views on that subject in a state paper characterised by all his sagacity and experience; and, indeed, when he died he died still the active chieftain of that famous Army to which he has left the tradition of his glory.

Sir, there is one passage in the life of the Duke of Wellington which in this place, and on this occasion, I ought not to let pass unnoticed. It is our pride that he was one of ourselves—it is our glory that Sir Arthur Wellesley once sat on these benches. If we view his career in the House of Commons by the tests of success which are applied to common men, his career, although brief, was still distinguished. He entered the Royal Councils and filled high offices of State. But the success of Sir Arthur Wellesley in the House of Commons must not be tested by the fact that he was a Privy Councillor or a Secretary of a Lord Lieutenant. He achieved here a success which the greatest Ministers and the most brilliant orators may never hope to accomplish. That was a great Parliamentary triumph when he rose in his place to receive the thanks of Mr. Speaker for a brilliant victory; and, later still, when at that bar to receive, Sir, from one of your predecessors in memorable words the thanks of a grateful Senate for accumulated triumphs.

Sir, there is one source of consolation which I think the people of England possess at this moment under the severe bereavement over which they mourn—It is their intimate acquaintance with the character, and even the person of this great man. There never was a man of such mark who lived so long and so much in the public eye. I will be bound there is not a Gentleman in this House who has not seen him; many there are who have conversed with him; some there are who have touched his hand. His image, his countenance, his manner, his voice are impressed on every memory and sound almost in every ear. In the golden saloon and in the busy market place to the last he might be found. The rising generation among whom he lived will often recall his words of kindness; and the people followed him in the street with that lingering gaze of reverent admiration which seemed never to tire. Who, indeed, can ever forget that venerable and classic head, ripe with time and radiant as it were with glory?

> "Stilichonis apex et cognita fulsit
> Canities."

To complete all, that we might have a perfect idea of his inward and spiritual nature—that we might understand how this sovereign master of duty fulfilled the manifold offices of his life with unrivalled activity, he himself gave us a collection of military and administrative literature which no age and no country can rival. And, fortunate in all things, Wellington found in his lifetime an historian whose immortal page now ranks with the classics of that land which Wellesley saved.

Sir, the Duke of Wellington has left to his country a great legacy—greater even than his fame; he has left to them the contemplation of his character. I will not say of England that he has revived here the sense of duty—that, I trust, was never lost. But that he has inspired public life with a purer and more masculine tone, I cannot doubt; that he has rebuked by his career restless vanity, and regulated the morbid susceptibility of irregular egotism, is, I think, no exaggerated praise. I do not believe that among all orders of Englishmen, from the highest to the lowest, from those who are called on to incur the most serious responsibilities of office, to those who exercise the humblest duties of our society—I do not believe there is one among us who may not experience moments of doubt and depression, when the image of Wellington will occur to his memory, and he finds in his example support and solace.

Although the Duke of Wellington lived so much in the minds and hearts of the people of England—although at the end of his long career he occupied such a prominent position, and filled such august offices, no one seemed to be conscious of what a space he occupied in the thoughts and feelings of his countrymen until he died. The influence of true greatness was never, perhaps, more completely asserted than in his decease. In an age in which the belief in intellectual equality flatters so much our self-complacency, every one suddenly acknowledges that the world has lost its foremost man. In an age of utility, the most busy and the most common-sense people in the world find no vent for their woe, and no representative for their sorrow, but the solemnity of a pageant; and we—who are assembled here for purposes so different—to investigate the sources of the wealth of nations, to busy ourselves in statistical research, to encounter each other in fiscal controversy—we offer to the world the most sublime and touching spectacle that human circumstances can well produce—the spectacle of a Senate mourning a Hero.

Sir, I beg leave to move a Resolution—

> "That an humble Address be presented to Her Majesty, humbly to thank Her Majesty for having given directions for a public interment of the mortal remains of his Grace the Duke of Wellington, in the cathedral church of St. Paul, and to assure Her Majesty of our cordial aid and concurrence in giving to the ceremony a fitting degree of solemnity and importance."

Lord JOHN RUSSELL: I ask the permission of you, Sir, and the House, to second the Motion of the right hon. Gentleman the Chancellor of the Exchequer. I do not wish to add a single word to those eloquent terms which have fallen from the right hon. Gentleman. I wish only to say that the whole House is, I believe, prepared to unite in offering this testimony of respect to the memory of the late illustrious Duke.

Resolved, Nemine Contradicente.

The CHANCELLOR OF THE EXCHEQUER: I now beg to move a Resolution—

> "That the House will attend at the solemnity of the funeral of Arthur Duke of Wellington in the cathedral of St. Paul on Thursday next."

Resolution *agreed to.*

Standing Orders *suspended.*

The CHANCELLOR OF THE EXCHEQUER then moved the appointment of a Select Committee, to "consider the circumstances relating to the attendance of this House and this place at the funeral of Arthur Duke of Wellington in the cathedral church of St. Paul."

Motion agreed to; Select Committee *appointed.*

INDIAN TERRITORIES—THE SELECT COMMITTEE.

MR. HERRIES, in moving for the reappointment of the Select Committee on Indian Territories, said, he would remind the House that a Select Committee was appointed early in the last Session of Parliament upon this important subject. The Government had lost no time in nominating that Committee, in consideration of the near approach of the time when it would be indispensably necessary that some conclusion should be arrived at with regard to the future government of India. He did not anticipate that any objection would be raised to the reappointment of the Committee on the present occasion—for though, in point of form, a new Parliament being now returned, the Motion must be for the appointment of a Committee, yet the Motion would be practically for the reappointment of the Committee which sat in the late Parliament. That Committee had prosecuted its inquiries with continuous application, and with great success. If hon. Gentlemen would take the trouble of looking into the very voluminous report of the evidence taken by that Committee, they would find that it contained a mass of the most useful and valuable information, both oral and written. The inquiry was arranged under six principal heads; and the first of these, and by far the most important—namely, that which concerned the authorities and the agency by which the government of India was conducted at present under the Act now in force—that first and principal portion of the inquiry had been completely exhausted by the Committee which sat in the last Session, and which had reported the whole of the results of their inquiries in that voluminous blue book to which he had already referred. It would be observed, that, in making a very short report prefixed to the evidence, the Committee had adverted to that which he (Mr. Herries) could not refrain from noticing also—he meant the favourable tendency of all the evidence they had collected respecting the governmental agency under the Act which was now in force, that was to say, the government of India by the agency of the East India Company, under the control and subject to the authority of the Crown. He might also state to the House that the remaining topics of the inquiry, which were likewise of great importance, though not of such primary consequence as that to which he had alluded, were, first, the military establishments of India; in the next place, the financial management of that great empire; and, after these, other subjects of great interest relating to the judicial administration, to the educational system, and to the progress of works of internal improvement in India. All these were questions which would require close and serious attention on the part of any Committee that might be appointed with reference to our East Indian territories. And when they should have completed their examination into the judicial, civil, and military administration, and the financial management of the affairs of India, he could not but hope that after receiving the report of the Committee's inquiries, the House would feel itself in a condition to legislate upon the great question, whether the government of that country should continue to be conducted upon the principles of the Act which was now in force—that of the year 1833—or whether any other system should be adopted. He had adverted to this point, because it was necessary to remind the House that the period within which legislation must take place was now comparatively narrowed. In the year 1854 the Act for the better government of Her Majesty's Indian Territories would cease and determine, unless in the meanwhile it should be the pleasure of Parliament to renew it. It was obvious, therefore, that in the course of the present Session—and he called the present Session the sitting which would be extended through part of next year—it would be indispensable that some Act should be passed providing for the government of India; and it was for this reason that he moved thus early for the appointment of a Committee. He could not avoid pointing out to the House the fact, that in the course of the late general election they had unfortunately lost some important Members of the Committee, as it stood in the last Session of Parliament; it would be necessary, therefore, that he should do something more on the present occasion than merely nominate the Committee as it existed last Session; and that he should propose some additional names to the Members of that Committee. The total number of the Members of the Committee last year had been fixed at thirty-one; and it was so well attended that he was sure the House would agree with him in thinking that that number was quite sufficient to be assembled for the purpose; for they were aware that there were some subjects which did not attract so full an attendance as others. He thought, then, that a greater number than thirty-one was not desirable on the Committee, and that was the number which he intended to propose. Of these, only twenty-six who had served on the last Committee would be available for the present; and he should, therefore, besides moving the appointment of the Committee, also move that the following five Gentlemen be Members, in the room of the five Gentlemen who were not available—namely, Mr. Macaulay, Mr. E. Ellice, Lord Stanley, Mr. Robert Clive, and Lord Palmerston.

Mr. HUME seconded the Motion. He regretted that the East India Company had not shown any intention to bring before the Committee the testimony of educated and intelligent native chiefs and gentlemen as to the feelings and sympathies, the wants and desires, of the natives with respect to the government of the Company. However, he trusted advantage would be taken of the exertions of native societies which had been formed at Bombay and Bengal to collect information on this subject, and that the persons who would be sent over to this country by these societies would be examined before the Committee.

Mr. J. MACGREGOR thought that a little more time should have been allowed before appointing a Committee of this importance. Of course there could be no objection to the names proposed by the right hon. Gentleman; but there were interests in connexion with India which required very considerable attention at the present time, for since 1833, when the last Act on the subject had been passed, the aspect of Indian affairs had completely changed. He trusted that one or two Scotch Members might be added to the Committee.

Motion *agreed to.*

Select Committee appointed "To inquire into the operation of the Act 3 & 4 *Will.* IV., c. 85, for effecting an arrangement with the East India Company, and for the better government of Her Majesty's India Territories till the 30th day of April, 1854."

MIDNIGHT LEGISLATION.

Mr. BROTHERTON rose to move a Resolution to the effect—"That in the present Session of Parliament no business shall be proceeded with in that House after midnight; and that at Twelve o'clock at night precisely, Mr. Speaker do adjourn the House without putting any question." He looked upon his Motion as one of considerable importance, and when it was considered that every Legislature in Europe and America conducted their business in the daytime, he thought it most preposterous that the British Legislature should not be content to close its proceedings by Twelve o'clock at night. He trusted he should have the support of the Government on the present occasion, as also the support of the Members of the legal profession, who, when they were obliged to sit late in that House, must find it impossible to attend to their avocations the next morning. As matters now stood, the officers and clerks of the House were sometimes obliged to remain at their posts for fifteen or sixteen hours, and the persons who were connected with the Administration could not pay that full attention to their business which they might do if the House would only close its proceedings at a reasonable hour. It might be objected that inconvenience would arise from adjourning the House always at a fixed hour, as in such case some hon. Members might occasionally speak against time; but on Wednesdays they terminated the sitting at a fixed hour, and that inconvenience had not practically been felt. And even if there should be inconvenience now and then, it would be a less evil than wasting time by debating for two or three hours after midnight whether the debate should be adjourned or not. It might be said, that Members need not stay in the House after midnight, unless they pleased; but some Members wished to discharge their duty conscientiously, and therefore remained so long as the House was sitting. He was convinced that by the adoption of the Resolution, the business of the House would be facilitated; that it would be more favourable to the health of Members, and be more satisfactory to the country.

MR. EWART, in seconding the Motion, said, he wished that the proposition was one which would have the effect of assimilating more their business to the course they adopted on Wednesdays. It was stated, by a high authority, that more real practical business was done by that House on the Wednesdays than on any of the other days of the week. He (Mr. Ewart) considered that after twelve o'clock at night, those Members who were really anxious to do their duty might with great reason and propriety protest against proceeding any further with the business of the Legislature. The practice of sitting beyond twelve o'clock was most injurious to the health of the Members generally, especially to that of the Ministers, who had so many other duties to attend to. He had seen Ministers at such a time, while endeavouring to push forward business, actually sinking under the weight of their labour. He believed that the voice of the country was with his hon. Friend in taking this step. The voice of common sense was, at all events, in his favour.

Motion made, and Question put—

> "That in the present Session of Parliament no Business shall be proceeded with in this House after midnight; and that, at Twelve o'clock at night precisely, notwithstanding there may be Business under discussion, Mr. Speaker do adjourn the House without putting any Question."

MR. W. WILLIAMS said, he thought the practice of sitting so late at night was most discreditable to that House. Bills of the utmost importance were passed over night without the slightest consideration. Oftentimes were they called upon after midnight to dispose of thirty or forty Orders of the Day, and the consequence was, that measures were hurried through in an imperfect manner, and had to be amended in subsequent Sessions. It might be said that the mass of public business could not be otherwise got through; but every one acquainted with the mode of business in that House was acquainted with the fact that the early part of the Session was consumed in discussion upon Bills that in many cases were never intended to be passed, and in others were withdrawn at the close of the Session. Never had the business been so well conducted as at the close of last Session, when the House sat early. He hoped the Government would give at least a trial to this Motion.

SIR WILLIAM CLAY said, the object of his hon. Friend in this Motion was really within his own power, by moving an adjournment after midnight. He thought there were many occasions on which the House would feel the enormous importance of forwarding certain Bills a stage, although it might be after midnight; and he therefore urged his hon. Friend not to press his Motion, but to leave it to the good sense and good taste of hon. Members.

The CHANCELLOR OF THE EXCHEQUER said, the business of the House had very much increased of late years, and the gist of this Motion was to reduce the time they could dedicate to the transaction of it. The proposition of the hon. Gentleman (Mr. Brotherton) was really to establish a restriction on debate; it was an extraordinary proposition in a free-trade age and a free-trade House of Commons. The hon. Baronet who had last addressed them, had reminded the hon. Gentleman of his frequent exercise of the salutary privilege of moving the adjournment of the House after midnight, and no doubt on many occasions it had contributed very much to public convenience; but there had been occasions when hon. Gentlemen had made Motions that the debate should terminate, on which an irresistible feeling had been shown on both sides of the House that the termination of the debate under such circumstances would be extremely inexpedient to the public welfare and public business. An iron inflexible rule on the question would be highly inconvenient. The subject had been very much considered in the Committee on Public Business. This restriction in debate was very much like the plan for limiting the duration of a speech, upon which point the Members of the Committee, formed from all parties of the House, came to an almost unanimous opinion, that if such a resolution were adopted, many hon. Gentlemen whom the House did not wish to hear would certainly speak for the hour, while the Gentlemen whom the House wished to speak more than an hour, would be prevented from doing so. As to the sanitary part of the question alluded to, and the reference made to the mode in which the business of the House was carried on during the latter part of the Session, he could only say that if a sanitary consideration was alone to influence the hon. Gentlemen who supported the proposition, he did not think that they would persevere in it. It would be totally impossible that the system of meeting at an early hour of the day could be generally acted upon. They were obliged to meet very early every day during the last month of the previous Session for the purpose of hurrying on the dissolution, and of disposing of the important business which it was absolutely essential to transact. They were consequently obliged very frequently to sit for a period of fourteen hours in the day. Now, when hon. Members recollected the arduous duties of the Government, and the necessity of their attending to their offices, as well as in their places in that House, they must admit the impossibility of their continuing for any length of time such a system of prolonged labour. He doubted much whether they would be able to undertake the duties of a Government if such a demand was to be made upon their time. He really thought that the question might be left to the good taste of the House; for he had seen many instances where rigid rules failed to accomplish that which, when left to the good taste and feeling of hon. Members, was successfully achieved. It would be his duty, therefore, to oppose the Motion of the hon. Gentleman, though he readily admitted it was introduced with the best and most commendable intentions.

Mr. HUME said, he should support the Motion, for in the opinion of the public the manner in which the business of that House was managed was not consistent with a due regard to the great interests committed to its care. The right hon. Gentleman the Chancellor of the Exchequer had ridiculed the idea of hon. Members being compelled to make short speeches, but he (Mr. Hume) was not quite sure that such a regulation would not have a most salutary effect. At all events, he had heard that the adoption of a limitation of the sort, in an assembly in another country, had, after some six or eight months' practice, been attended with very satisfactory results. He thought his hon. Friend (Mr. Brotherton) had acted perfectly right in thus appealing to the good sense of the House, and asking them to adopt some mode by which their late sittings might be abridged. If the plan proposed by his hon. Friend were agreed to as a general rule, leaving extraordinary cases as exceptions, he believed they would soon find that they had got rid of one-half of the obnoxious measures which were now being constantly brought before them. He (Mr. Hume) had been the innovator in the case of the Wednesday sittings, and he thought he should have the testimony of the right hon. Gentleman in the Chair, as well as the great majority of the Members of that House, in favour of that alteration. Adopt the Motion of his hon. Friend, and equally beneficial results would be the consequence.

Lord JOHN RUSSELL said, that, however satisfactory the limitation of the sittings of that House might be to the public, and great as the convenience of such an arrangement might be to hon. Members, yet he believed that they would not improve the mode of carrying on the business of the House by merely adopting the Motion under discussion. The House must be aware there was not a legislative assembly in the world which transacted nearly half as much business as the House of Commons did. With regard to the example of the Congress of the United States, it should be remembered that the whole of the local business of the Union was carried on by the several State Legislatures, and, moreover, that as the whole of the Administration formed no part of Congress, therefore there were not in that assembly those debates as to matters of administration which took up so much of the time of this House. Considering then that they had this amount of business to do, he put it to them whether it might not become necessary very much to alter all their other rules in case they agreed to the present proposition. If that was to be the case, let them have the whole scheme to be proposed for a different mode of conducting the business of the House laid before a Committee, and not begin by at once adopting the Motion of the hon. Member for Salford. With regard to reducing the number of stages through which Bills had to pass in that House, let him remind hon. Gentlemen that it was not many years ago that, from the introduction of a Bill to its passing, there were not less than thirty-two questions put. Adopt the proposition now made, and it would probably become necessary to still further reduce the number of questions which were still put—to read a Bill a first and second time, and not go to a third reading at all, or some change of that sort. It appeared to him (Lord J. Russell), that, however large might be the accumulation of Bills at the end of the Session, yet they could not agree to a proposal of this kind without first considering all the consequences which might result from it. He did not say that it was not possible to adopt some scheme by which the increased business of the House might be better transacted; but to accept the Motion of the hon. Member for Salford under present circumstances would, in his opinion, be highly imprudent.

Sir **HENRY WILLOUGHBY** said, he would have supported the Motion if he could have done so with propriety, because he should be glad to prevent that system of midnight legislation which had sometimes been conducted with such evil effects in that House. But unfortunately the hon. Gentleman (Mr. Brotherton) had overshot the mark in not limiting his Resolution to the introduction of new business. If his hon. Friend would bring forward some Motion by which no new business should be introduced after midnight, unless with the distinct leave of the House, such a proposition as that would come before them with effect; although even that might require some further consideration, as suggested by the noble Lord opposite. Under existing circumstances, it was clear that if they adopted the Motion of the hon. Member for Salford, they would put it in the power of any party in the House to talk any question out. That would be so fatal to their deliberations that he could not give his support to the Motion.

Mr. **BROTHERTON**, in reply, said, he must express his regret that he could not enlist the leading Members of the House in support of his Motion: the discussion had only tended to show how much more difficult it was to unlearn bad habits than to acquire good ones.

Question put.

The House *divided*:—Ayes 64; Noes 260; Majority 196.

List of the Ayes.

Alcock, T.
Anderson, Sir J.
Barnes, T.
Barrow, W. H.
Beaumont, W. B.
Bell, J.
Bellew, Capt.
Biggs, W.
Brady, J.
Brocklehurst, J.
Brown, H.
Brown, W.
Cutler, C. S.
Carter, S.
Challis, Ald.
Cheetham, J.
Cobbett, J. M.
Coffin, W.
Crook, J.
Duffy, C. G.
Duke, Sir J.
Duncan, G.
Dunlop, A. M.
Evans, Sir De L.
Fagan, W.
Ferguson, J.
Fitzgerald, Sir J. F.
Gregson, S.
Greville, Col. F.
Hadfield, G.
Hall, Sir B.
Hastie, A.
Heathcoat, J.
Henchy, D. O.C.
Hindley, C.
Hume, J.
Ingham, R.
Keating, R.
Kennedy, T.
Keogh, W.
King, hon. P. J. L.
Kirk, W.
Lowe, R.
Lucas, F.
M'Mahon, P.
Meagher, T.
Miall, E.
Milligan, R.
Moffatt, G.
Murphy, F. S.
Oliveira, B.
Pellatt, A.
Pilkington, J.
Pollard-Urquhart, W.
Sadleir, J.
Scobell, Capt.
Scully, F.
Shee, W.
Shelley, Sir J. V.
Strickland, Sir G.
Thicknesse, R. A.
Thomson, G.
Walmsley, Sir J.
Williams, W.

TELLERS.
Brotherton, J.
Ewart, W.

The House adjourned at Seven o'clock.

HOUSE OF LORDS,

Tuesday, November 16, 1852.

Minutes.] *Took the Oaths.* — Several Lords.

Sat First in Parliament—The Earl of Suffolk and Berkshire, after the Death of his Father.

Public Bills.—1^{a} Oaths in Chancery; Law of Evidence and Procedure; County Courts Equitable Jurisdiction; County Courts Further Extension; District Courts of Bankruptcy Abolition.

2^{a} and 3^{a}, and *passed*, Bills of Exchange and Notes (Metropolis).

MANNING THE NAVY.

Lord **BROUGHAM** wished to put a question to the noble Duke opposite, the First Lord of the Admiralty. He believed that towards the close of last Session a Commission or Committee was appointed to inquire into the subject of manning the Navy. He now wished to ask whether any steps had been taken by that Commission or Committee, and whether any report would be laid before Parliament? The subject was one of the most important of those connected with that most important of all questions—the effective force of our Navy, and it was one upon which he felt not an inordinate but a rational anxiety. He hoped above all things that expense would be no obstacle to the improvements which might be required in this department. If there were a man in the House who grudged the money necessary for this purpose, let not that man be listened to.

The Duke of **NORTHUMBERLAND** said, that he had no difficulty whatever in answering the question of his noble and learned Friend. There was a Committee, not a Commission, under the Board of Admiralty now sitting, to inquire generally into the state of the manning of the Navy, and embracing everything connected with the condition of our seamen. It had been sitting for several months, but no report had yet been made. The Committee was of a private nature, for the purpose of informing the Admiralty, and was composed of many most distinguished officers, in whose judgment the greatest confidence could be placed, and who would ever have prominently in view the good of the service. He entirely agreed that the question was one of great importance.

LORD BROUGHAM said, when he spoke of the expense, he had in his eye the undoubted fact of the wages being so much better in other branches of the sea service than in our Navy; and, not only in our own mercantile marine, but in the American service.

BILLS OF EXCHANGE AND NOTES (METROPOLIS) BILL.

The EARL of DERBY then moved the Second Reading of the Bill with respect to the presentation and payment of Bills falling due on Thursday next.

LORD CAMPBELL said, that, entirely approving the Bill, he wished to make one observation with a view of removing some apprehensions which had been expressed with respect to it. It had been suggested that foreign acceptors and endorsers of bills might be released from their liabilities if the bills due on the 18th were presented on any other than the day on which they originally became due. He apprehended, however, that it was a maxim of modern law that that which was done in each country must be taken according to the law of that country. Now, the 17th inst. would be the day for the presentation of bills falling due in England on the 18th, according to the law of this country; and he thought, therefore that the acceptor and endorser would be as much liable if the bill were then presented as if it were presented on the 18th.

LORD TRURO said, he did not intend to offer any opposition to the Bill; but he was afraid that some inconvenience might arise. There could be no doubt that the provisions of this Bill, by which bills falling due on the 18th instant might be presented the day previously, would be attended with no evil consequences in relation to British bills. Let them, however, take the case of bills drawn in foreign parts on British subjects. Suppose that one of these bills was in the hands of a British subject, who had to look to the foreign endorser in default of the English acceptor, or suppose the English holder got payment from the foreign endorser, but that endorser had to look to a prior endorser, and that that remedy had to be enforced in a foreign court —the effect of this Bill would be to alter the nature of the contract which had been made abroad between the parties to the bill. Now a bill of exchange drawn upon a British subject, so far as concerned a British subject, enured according to the British law. Although, however, the general principle of the law was that contracts depended on the law of the country where they were made, there was an exception. If a bill was drawn in one country upon the subject of another in that country, the law of the country where the bill was to be paid was that which regulated the liability of the acceptor. But in this case the foreign endorser had engaged that the acceptor should pay if the bill was presented according to the tenor of the bill; and it was very doubtful if the foreign courts would enforce the contract as altered by an *ex post facto* law in this country. He wished therefore to suggest that it would behove all holders of bills due on the 18th, whose bills were not paid on Wednesday, to present them again on Friday. Generally speaking, presentation was excused for a reasonable cause, and it had been held that, where there was a physical restraint on the party holding the bill—such as riots on the day when the bill was due —nonpresentation on the day on which it fell due was excused, provided the bill was presented as soon as the physical restraint was withdrawn, and at the earliest practicable moment. Now the effect of this Bill was, if not to render the presentation of bills on the 18th instant unlawful on the day on which they fell due, at least to show that the Legislature intended they should not be presented on that day. That might not be considered equivalent to a restraint by force by the foreign courts. It was therefore important that holders of foreign bills falling due on Thursday should present them on Friday, as the earliest period possible after they fell due, in order to place themselves in the best possible situation,

LORD CAMPBELL said, that he must express his confidence that the foreign endorsers and drawers were liable, according to what would be a good presentation by the law of England when that presentation had to be made. Now, as there were three days of grace there was no necessity for a presentation on the day when the bill fell due; and, therefore, according to the law of England, the presentation would now be good either on the 17th or 19th inst.

Lord TRURO said, he referred only to foreign contracts.

Lord BROUGHAM said, that when two Judges gave opinions not exactly the same, he hoped they would not consider themselves bound by the opinions which they might there express, if the point was ever brought before them judicially.

Bill read 2ª (according to Order); Committee *negatived;* and Standing Orders Nos. 37 and 38 *considered* (according to Order), and *dispensed with;* and Bill read 3ª, and *passed.*

FUNERAL OF THE DUKE OF WELLINGTON.

Lord REDESDALE brought up the First Report of the Select Committee appointed to consider the best mode in which the House could assist at the ceremony of the funeral of the late Duke of Wellington.

The Clerk at the table then read the Report:—

"1. That the House be represented in the Procession by the Lord Chancellor only.

"2. That the Lords attending the Ceremony in the Cathedral do appear in Mourning in the Places reserved for them.

"3. That arrangements be made for such Lords as desire to go to the Cathedral by Water to proceed from the House to Paul's Wharf, at a Quarter past Nine o'Clock.

"4. That Tickets be ready for Delivery to all Lords proposing to attend the Ceremony, 'till Five o'Clock *To-morrow,* at the Earl Marshal's Office, No. 1, Parliament Street; such Tickets will be required by all who go to the Cathedral, whether by Land or Water.

"5. That similar Tickets be also delivered to all Peers of Scotland and Ireland."

Ordered to be *printed.*

Moved to resolve—

"That this House be represented in the Procession by the Lord Chancellor only."

On Question, *agreed to.*

IMPROVEMENTS IN THE ADMINISTRATION OF THE LAW.

The LORD CHANCELLOR: My Lords, I rise for the purpose of stating to your Lordships what steps have been taken since we last met for the purpose of carrying into operation the Acts which were passed last Session having reference to the Court of Chancery, and various matters connected therewith. I rise also to state to your Lordships what are the further measures which Her Majesty's Government propose to adopt for the further prosecution of the objects which your Lordships and the other House of Parliament had then in view. My Lords, the Acts which your Lordships passed last Session with regard to the proceedings of the Court of Chancery were three in number. One Act was for the abolition of the office of Master in Chancery, and for introducing an altogether new system of Chamber practice with regard to matters which, up to that time, had been prosecuted by the Masters in their own Chambers. The next Act was for the Improvement of the Jurisdiction in Equity; and the third Act was called the Suitors in Chancery Relief Act; and it certainly did afford a great relief, by the reduction of salaries and the abolition of useless and unnecessary offices. Now, my Lords, it has been very much the practice of Parliament, and it is a very easy mode (whatever other difficulties it may involve) of getting through the business of legislation on such subjects, not to fill up in detail the outline of the Bills, but to leave almost everything beyond their leading subjects to be carried into execution by Orders to be made by the Court after the Bills themselves have passed. This was the course adopted by Parliament with respect to the measures of last Session; and I can assure your Lordships, therefore, that my vacation has been principally occupied in a species of legislation—sometimes with and sometimes without the assistance of my learned Colleagues — in order to supply what was necessary to give full effect to these Acts of Parliament. My Lords, they are now in full operation; and I think I can assure your Lordships, from what I have already seen, that they will fully effect everything which the country and Parliament have had in view. And I think I may venture to assert that the celerity with which matters will be decided in Chancery will be such as to make the old proverb entirely forgotten, and to lead to the introduction of a new one. I think there is no Court in this country in which questions of property will be decided with such rapidity as there—and by rapidity I do not mean haste, which above all other things is to be deprecated in the administration of justice; I mean really good speed—speed so far as is consistent with the most mature deliberation; and that such speed can now be given to matters coming before the Court of Chancery I hope to show your Lordships before I sit down, as well as that the expense may yet be greatly diminished, so as to render that Court, and every portion of it, at once rapid in its operation and truly cheap to the suitor.

My Lords, independently of the general objects of the Acts in question, there was a very crying evil which has been remedied by the Orders which have been issued by myself and my learned Colleagues. It is a subject which I always had very much at heart—and respecting which I carried my views into effect as far as I could in Ireland. It is this—that there should be a statute of limitations, as it were, within the Court, as well as a statute of limitations without the Court. You pass an Act of Parliament to prevent the bringing forward of old claims; but in the Court itself when once made they may be kept alive and brought forward at a period highly inconvenient and unjust. Your Lordships have an order regarding appeals, which is to this effect—that there shall be no appeal from a decree or order of the Court of Chancery after the lapse of five years after enrolment. Under the early orders of the Court of Chancery, the arrangement was such that the enrolment was intended to take place at once. The intention of your Lordships' House, therefore, at a very early date, was to compel the party to come to this House, if he wanted relief, within five years after he or the other litigating party had first actually got a decree. But, so far from this being practically carried out, the course, up to this last twelvemonth, has been that parties have been allowed in the Court of Chancery to enrol *nunc pro tunc*, and then the party desiring to appeal to your Lordships' House himself enrols the order, though adverse to himself, and at the end of, it may be, fifteen or seventeen years, he comes to your Lordships' House, and presents an appeal to the House at that distant period; all which leads to great evils and great injustice. There should be no taking away of a man's right to appeal; but there should be no door left open to him for unnecessarily continuing a long and irritating litigation. This evil has been met by Orders to this effect, and I believe they will work most beneficially: In the first place, nobody is to have the right of appeal within the Court of Chancery itself after five years. In the next place, every man is to enrol a decree or order within six months; and after five years have elapsed he is not to be at liberty to enrol at all, except by a special order of the Lord Chancellor, so as to meet what may be a case sometimes of necessity, yet at the same time to prevent different decisions, and keep the subject closely within the time within which he ought to appeal. Therefore, my Lords, there will henceforward be a statute of limitations, as it were, within the Court, as well as one without the Court.

My Lords, the Act for the Relief of the Suitors in Chancery, as I told your Lordships, has also been followed out by orders of the Court. The fees under these Acts have been settled, and they have been greatly reduced in number, and very considerably simplified. A great burden was imposed upon the suitors in having to pay a great many fees upon every occasion at many offices. That evil has been corrected, and the parties will have fewer fees to pay, and the whole system is exceedingly simplified, which in itself will be found to be a very great benefit. I mention this, because I wish clearly to show your Lordships the state of the funds which we have in our Court, and the purposes to which they are applied.

I want to draw your Lordships' attention, and the attention of everybody in the country, to the state of our funds, the nature of the fund out of which the costs of the Court are paid, the costs of the administration of justice, and the means by which I hope still further to reduce those costs. Your Lordships must bear in mind that the additional sum of 9,000*l.* a year in the shape of compensation has been thrown upon the funds by the late improvements. You have given large compensations, and at the same time created new offices, so that, although the fees are greatly reduced, yet the immediate expenses have also greatly increased. But, notwithstanding that, my Lords, the saving to the suitors between the fees which were imposed last year, and the fees which will now be imposed under the scale which has just been issued, will be not less than 30,000*l.* a year. That is accounted for in some measure by the sum of 26,000*l.* a year, for the salaries of the several Judges of the Court, having been transferred to the Consolidated Fund, upon the ground that the Judges ought to be paid by the country, and not by the suitors. And so, unquestionably, the administration of justice ought to be paid for by the public funds, and not by the funds of the suitors. But then there is this clear distinction: the costs of the administration of justice, properly speaking, ought undoubtedly to be paid by the country; but the costs of the administration of the property of a party within the Court ought not to be paid by the public. Every man ought to have a right to go into the Court itself free from expense, if it may be, and to have the decision of the Judge. But, if he has accounts to be taken—if he has estates to be guarded and watched, and kept in order, he is no more entitled to have the expense of that paid for him in Court, than he would be if the operation had taken place out of Court. Keeping in mind that essential distinction, I must call your Lordships' attention a little to the state of the funds, as I shall have occasion afterwards to call your Lordships' particular attention to the operation of them.

There are two funds upon which the Court draws for sums for which it has occasion. One is called the Suitors' Fund, and the other is called the Suitors' Fee Fund. The Suitors' Fund arose in this way—there are in the Court sums of money sometimes of a large amount, which the persons interested in them never require to be invested. The Court, therefore, under the authority of various Acts of Parliament, has been in the habit of itself investing from time to time that portion of the Suitors' "unemployed cash," as it is called, which the Suitor has not required, or directed to be invested on his account. The consequence of the party not requiring it to be invested is, that of course he cannot be entitled to the dividends upon that which he has not had invested, and he is not liable to any loss; but he can demand the amount simply of his cash whenever he thinks proper to do so. The dividends on the stock thus procured are partly applied by the Court in payment of the salaries of officers and expenses of the Court, and the surplus of those dividends is again invested on a separate account, though as part of the same Fund. Nearly 4,000,000*l.* has been invested in this way, and the sums standing on these two accounts constitute what is called the Suitors' Fund; and the result is, that at this time there is a fund producing an income of 111,000*l.* and a fraction, which is appropriated to the payment of the expenses of the Court and of the administration of justice. Now, my Lords, the sums which by Parliament have been thrown upon this fund amount to 48,320*l.* a year. The annual dividend of the fund is 111,843*l.*; that leaves a surplus of 63,523*l.*, which by the Act of last Session—the Suitors' in Chancery Relief Act—was directed to be carried over to the next fund, that is, the Suitors' Fee Fund. My Lords, the Suitors' Fee Fund is a fund—as the very name of it intimates—which arises from fees imposed by the authority of Parliament, and payable by the suitors. That balance of 63,523*l.* came in aid of that fund, and the sum which this year will have to be provided for as charges upon the fee fund will amount to 157,450*l.* Then, if you take the balance which is to be carried to the credit of the fee fund, 63,523*l.*, that will leave an amount of 93,927*l.*, to be levied upon all the Suitors in the Court of Chancery. Now, my Lords, I have no occasion to tell your Lordships that that is a very large sum; yet it is a small sum compared with the actual business done. My Lords, the amount of fees levied last year was 133,842*l.* The estimated amount, I have told your Lordships, of the fees this year is 93,241*l.*; that is, a saving of 40,601*l.*; and then there is to be added 3,838*l.* to that for fees hitherto received by the officers for their own use, which have been abolished, and which the suitors will not have to pay. That makes a sum of 44,439*l.*, which would be the saving in the year. But, my Lords, the Court have received copy money; they have had to copy documents, and have charged a certain amount per folio as copy money, and that sum altogether has produced 10,000*l.* a year. The solicitors have complained very much of this. They thought it was taking their own proper business from them, and that they could do it better as between themselves and their clients, if it were left to them. My Lords, it is now left to them, and they will have the benefit of it. The solicitors are themselves to furnish the copies, the expense of which will, as heretofore, amount to 10,000*l.* a year. Your Lordships will see it is not a saving to the suitors, because the suitors will still have to pay for copies; but it is not a sum raised by the Court in any manner upon fees which the Court imposes. The result is, that, taking that 10,000*l.* off the 44,439*l.*, because the suitors will still have to pay it, there is a saving of 34,439*l.* in this year's estimate between the costs to be paid in the coming year by the general body of suitors, and the costs paid in last year.

My Lords, it is necessary, in order to show to your Lordships what I propose, to state to your Lordships, in some little detail, the particulars of the management of the fund under the care and in the name of the Accountant General. In the first place, I will observe that there has been some complaint made, and justly enough—not as regards the officers, because they have been inclined to give every facility and to do more than officers generally have been in the habit of doing—but complaints have been made that the Accountant General's office is shut the whole of the long vacation, and that when there are persons who have moneys to receive, it is a great hardship that they cannot receive them. I have no doubt we shall be able to make arrangements which, without pressing—as we ought not to press—improperly upon officers who are already sufficiently worked, will enable us to meet the just demands of the public, and to clear the Court from that imputation. I must now draw your Lordships' attention particularly to the state of the Funds standing in the name of the Accountant General. The Accountant General has at this moment standing in his name the sum of 48,015,826*l.* stock—an enormous sum to be under the jurisdiction and under the care of the Court; and I have the satisfaction of telling your Lordships that no human being has a claim upon that fund which it is not fully sufficient to answer. With all the burdens thrown upon them, the funds of the Court are more than sufficient to meet them. With a view of seeing whether I could not make an arrangement which should further ease the suitors and very much simplify the management, I have taken great pains to understand the accounts, and to see what further could be done. Taking this last year, the stock and cash "turned over" exceeded 21,000,000*l.* of money, and the accounts are upwards of 17,000 in number. Your Lordships will suppose, therefore, what without great care would be the difficulties incident to the management of such vast accounts. The amount of cash which was received by the Court during last year, including that received in respect of sales of securities, was 5,973,769*l.*; the amount of cash paid by the Court, including that paid upon purchases, was 5,993,539*l.*, and I invite your Lordships' attention to the consideration how very nearly those two sums are balanced. Then we come to the stock. The stock, considered with respect to the dealings with it, is of two classes. The first class comprises stock purchased by the Court, and stock sold by the Court; the second class comprises stock accepted by the Court, and stock transferred by the Court, from or to the accounts of different parties. The result of that is as follows:—The stock purchased by the Court last year was 2,181,249*l.* The stock sold by the Court was 1,829,009*l.*, making together 4,010,258*l.* The stock accepted was 2,382,591*l.*, the stock transferred was 2,964,869*l.* Upon a comparison of these figures, you will find that by keeping that stock together in one great account, instead of keeping the accounts in the different causes separately, the Court would not have occasion to buy for the whole year more than 230,000*l.* stock to meet all those various claims; and yet your Lordships will observe that the real transactions, namely, the actual purchases and sales of stock amounted to 4,000,000*l.* and upwards. In order that I may be fully understood, I must explain to your Lordships the way in which transactions are carried on between the Bank and the Accountant General. Your Lordships, I have no doubt, are perfectly aware that certain transactions at the Stock Exchange are carried on by two descriptions of persons, the broker and the jobber. The jobber, unlike the broker, buys and sells stock the whole day long, and has what is called the "turn of the market" upon each transaction, so that buying at 1-8th less and selling at 1-8th more, in the result he makes 1-8th per cent, each way, and that is his profit. Now the Accountant General, having in his hands this vast sum of 48,000,000*l.* stock, goes every day into the Stock Exchange, and there buys in the market all the stock which he requires to buy, and sells in the market the stock which is called for, and which has to be sold. Your Lordships may guess how very expensive is this operation, if he has to pay the broker and give the jobber his profit both ways—in fact, it costs 12,000*l.* a year—and yet no individual has a right to complain, because no more is done in each particular transaction than the individual himself would have done if he were dealing with his own funds. What I hope to be able to accomplish is this, to get rid, as nearly as possible, of all sales and all purchases. I have had the scheme examined by the experienced officers in the different departments. And I may say here, with reference to this as to all the other subjects which I have to mention, that I have not had occasion to apply to any officer of the Court, from the highest in office to the lowest in station, who has not most readily afforded me every aid in his power. Now, my Lords, this subject was a few years ago under the consideration of a Committee of the House of Commons. I will quote what is said in their Report, which is called "the Second Report of the Select Committee of the House of Commons upon Fees in the Courts of Law and Equity" in May, 1848. They there recommend—

> "That the system of brokerage on the suitors' fund should be discontinued, and that the Accountant General should be paid by a salary, and that only the balance of the stock required to be bought or sold in each day should be bought or sold by the broker, and that the one-eighth per cent on the funds transferred thereby saved to the suitor, and which, but for this alteration, would have been actually bought and sold, should be paid to the suitors' fee fund for the benefit of the suitors."

Now, my Lords, the Committee of the House of Commons having this subject under their consideration evidently took for their guidance the practice of the jobber. A jobber never goes home with more stock than he wishes to retain. They say, therefore, that the Accountant General should go each day, and buy or sell only the balance of the stock, and they say also that the saving thereby made ought to go to the Suitors' Fee Fund. I beg leave to differ from that Report upon both these points. I see no necessity whatever for the Accountant General so buying and selling every day or any day, unless cash is actually wanted for current purposes. If he wants cash, he must of course go and sell stock to obtain it; but with 48,000,000*l.* of stock he never can want to buy stock. The plan I propose has been fully worked out upon paper, and I have no doubt will work equally well in practice. It does not involve going to the Bank at all, nor putting the party to the expense of a broker; but, without that, everything may be kept perfectly right and regular, and there will be a saving of 12,000*l.* a year to the suitors. That is a saving which I think should go—not, as that Report proposes, for the benefit of the suitors generally, but—to the individual suitor. I cannot understand, if you can work a suit without expense, why you are to throw that saving into the general fund. Why should not the man himself have the benefit of it? You charge him dear enough for some things, and if you can let him have other things a little cheaper, why should he not have the benefit? By the plan I propose, then, upon the whole year's transactions it will probably only be necessary to sell some 100,000*l.* or 200,000*l.* stock. The transactions will, of course, vary from day to day, but not to such an extent as to create any difficulty. It is not until cash is actually wanted that there will be any sale at all. I believe the effect will be that the accounts will be simplified, vast expense will be saved, and the suitors will be benefited. I must mention to your Lordships that one difficulty thrown in the way of this arrangement was, that you would not ascertain what is the price to be paid or accepted by the different persons when there is no longer a real sale or purchase, but only one existing on paper. Fortunately, my Lords, we are enabled to meet the difficulty in the most satisfactory manner. The Bank of England takes the fluctuations every day of the price of each fund up to 1 o'clock in the day, and then it strikes the average. I propose, therefore, to take that 1 o'clock average as the price which every man who sells is to receive, and the price every man who buys is to offer. That will make it very fair as respects all parties, and it will bring this further advantage: Very often sums are ordered to be transferred at the price of a given day. For the computation the broker charges a percentage. The same 1 o'clock price will be adapted to those transactions, and so the suitor will be saved a very considerable sum.

I have told your Lordships that the fund which pays so much of the expenses of the administration of justice in the Court of Chancery consists of a sum which produces 110,000*l.* a year. That has been produced by cash paid into Court belonging to suitors which the suitor himself has not required to be invested. I confess during a great part of my professional life I have thought that that was a way in which the money of the suitors ought not to be dealt with. The Court of Chancery itself never permits the trustee of a fund to derive any benefit from that fund. If he were to say, "This money, of which I am trustee, I have invested for my own benefit, taking the corresponding risk"—the Court would, without any hesitation, declare it a breach of trust, and compel him to give up all the benefit which he might have received. Now the Court acts differently with this fund; for, being itself a guardian and trustee of these moneys, because they are not required to be invested, the Court does not therefore decline to invest them;

but the Court does invest them, and the interest and dividends are appropriated to its own purposes. The argument in favour of this is of this nature, that the Court acts as banker of the suitors, and, as ordinarily bankers are entitled to employ a balance left in their hands, so the Court itself is entitled to use for the benefit of the suitors generally the money which is thus intrusted to it. There is, no doubt, something in that argument; but I propose to adopt the following plan—that for the future any unemployed cash shall be laid out by the Court when it is not required to be invested, and the Court shall have the benefit of that investment for two years, treating the Court as a banker for that purpose; and if at the end of two years there shall not be any requisition not to lay out the money, the party entitled shall have, as *from that period*, the benefit and risk of the past investments. Very often this unemployed cash is not invested, owing to the neglect of other parties having no personal interest in it, a neglect of which the persons having such an interest, and who are thereby deprived of dividends to which they are entitled, have cause to complain. I believe that the course which I have suggested will meet the justice of the case without any inconvenience.

My Lords, I have now reached another proposal which I hope will enable me to afford still further relief to suitors. There was an account moved for in the House of Commons in 1851, which I hold in my hand, which is called a "Return from the Accountant General, showing the amount of cash standing to different accounts in his name, and not dealt with during the periods of 10, 25, and 50 years respectively prior to the 1st day of August, 1850; and the amount of stock or other securities standing to different accounts in his name, the dividends on which have not been dealt with during the same periods respectively." It gives the cash and stock in different columns, which have "not been dealt with," as the expression is, during 10 years; those not dealt with during 25 years, and those not dealt with during 50 years. I have to explain to your Lordships that the first line, those not dealt with during 10 years, means not dealt with for 10 years, but within 25 years. The next line, not dealt with for 25 years, means not dealt with for 25 years, but within 50 years; and in the next line 50 years means 50 years and upwards. I wish to bring all those separate accounts together. Many of those sums are so circumstanced that the parties can never call for them—they are in the nature of unclaimed stock. The Court has dealt with them in this manner: Suppose there has been a sum invested: when the dividends are received they are carried to the dead account; so that if it should ever become a living account by a claim upon it by a person justly entitled, that man will find his original sum, with all the dividends received from time to time added to the capital sum he would be entitled to receive. But as fast as those dividends come in, they fall under the head of "cash not invested," and therefore they are invested in a common fund, the produce of which the Court applies to its own purposes. But I propose that in ease of the suitors—and only in ease of the suitors and for no other purpose—the Lord Chancellor shall himself investigate all the accounts, and shall direct that the dividends shall from time to time, instead of being invested, be applied to the expense of the administration of justice, so as to relieve the suitors. Such an investigation I propose shall take place every five years. Independently of other circumstances, the cash was originally invested at an average of 86, and the profit, therefore, on that stock would now be very large. That will yield a large sum in relief of the suitor; and I propose that it shall be applied to his relief, and ultimately to the relief also of the Consolidated Fund.

My Lords, I cannot pass from this topic without declaring my belief, not only that it is impossible that justice can be anywhere administered more speedily than it can be, and will be, in the Court of Chancery, but moreover that the hour will come, and is not far distant, when the suitors in the Court of Chancery will have no costs whatever to pay for the administration of justice—irrespective, of course, of those costs which must always exist between solicitor and client—if it be considered expedient to wholly relieve them. I think I am entitled to say, that I have always been decidedly adverse to Government putting its hands upon this fund. I remember perfectly well in the other House, many years ago, my ear being caught by a conversation between Mr. Huskisson and Mr. Goulburn and Lord Ashburton, then Mr. Baring, the purport of which was, that the Government should, as it was said they could, without any danger to anybody, avail themselves of the funds in the Court of Chancery, adopting a system of inscription in a public book, somewhat, I suppose, on the French system, by which the debt would be altered in its nature, and the country would have the use of the fund without any prejudice to the suitor. I opposed it as strongly as I could, and pointed out the danger which it would involve, not only to the interests of the public creditor, but also to the administration of justice itself. I told Mr. Huskisson that the Equitable also had eight millions of stock, and I said, "perhaps you would like to take that too." The day may come when the Consolidated Fund will be relieved from the payments for the salaries of the Judges; and, if the funds of the Court, properly applicable in that way, are sufficient, I should think it not objectionable. If they are not sufficient, I think the salaries of the Judges should be paid out of the Consolidated Fund; but if you have a fund in Court which will pay them, which I have no doubt this fund eventually will, there is no reason why the public should not be relieved from their payment.

I shall lay before your Lordships a Bill for the purpose of carrying into effect the several measures to which I have referred.

There is one small measure to which I will take the opportunity of alluding. It is with reference to the persons who are called Masters Extraordinary in Chancery. I have taken some trouble to look into this subject, and I find that a great many of the parties who are so called assume this title for the purpose of giving themselves the appearance of being in a peculiar manner trusted by the Court of Chancery. It costs 8*l.* or 9*l.*, and the appointment is gazetted. I propose to take away from them their high-sounding title, and to give them the plainer name of "country agents to administer oaths in Chancery," and that they shall not be gazetted. I propose, also, that officers should be appointed to discharge similar functions in the metropolitan district. The fees now paid on their appointment are exorbitant, and my plan is that they should pay one fee of 1*l.* once for all. That will be another great benefit to the solicitors.

I have now to state to your Lordships what Her Majesty's Government have done for the purpose of carrying into effect the wish of your Lordships and the other House of Parliament in regard to the further improvement of the jurisdiction in Chancery. We have had the misfortune, since we met, to lose the services of a very learned and excellent person, from whom most valuable assistance has been derived on these subjects. Her Majesty's Government have thought it right to issue a new Commission, including the surviving members of the former Commission, and adding others; among them one of the Vice-Chancellors, and Mr. Rolt, Sir John Dodson, Dr. Lushington, and Dr. Harding; the object of the Government being not only that the inquiries already commenced should be prosecuted, but that there should be an inquiry into the working of the jurisdiction in testamentary matters in the different courts of the country. It is a great misfortune that a man's will has to be subjected to the jurisdiction of different tribunals, whose principles of procedure cannot be reconciled. There have been many cases in which great hardship has resulted from the variety of jurisdictions. There was, for instance, a case of Dew *v.* Clark, which is well known to my noble and learned Friend (Lord Lyndhurst), and doubtless to many others of your Lordships, and in which I was counsel. There, a man being affected by partial insanity, which manifested itself in some delusions respecting his daughter, left his property, both real and personal, to his nephews, passing by his daughter. The will was disputed, and successfully disputed, in the Ecclesiastical Court, having jurisdiction over the personal estate, and was set aside. The matter came, by way of appeal, before my noble and learned Friend, and he refused a Commission of Review. But then the parties upholding the will declared that they had, as no doubt they had, the right to take the case before a jury in a Court of Common Law with reference to a small real estate, and that they would exercise that right. And after all this litigation, and these solemn decisions, the daughter, under the advice of her counsel, of whom I was one, was driven to convey the real estate to the nephews who claimed under the will, as the only way of preventing the whole case being tried over again before a different tribunal. And further, my Lords, now that the appeal from the Ecclesiastical Courts lies to the Judicial Committee of the Privy Council, and not to your Lordships' House, you have a complete separation of two jurisdictions which it is impossible to reconcile. This is a state of things which is discreditable to the country, and ought not to be allowed to continue. There ought to be one plain rule by which the proceedings of all Courts should be guided, and the Government have thought it their duty to see whether some means cannot be found of bringing more into harmony on this subject the different powers of the different Courts. It is of no use, however, attempting to disguise that a more extended investigation into the working of the Ecclesiastical Courts must follow at no distant period.

There is one short Bill which the Government will think it desirable to introduce with reference to the Patent Law. I regret to say that some of the inferior clerks in the Court of Chancery have at times received public money and have not accounted for it. This evil has been wholly obviated by the late substitution of stamps for money payments, and we propose to apply the same system under the Patent Law Amendment Act of last Session.

I will now call your Lordships' attention to a very different subject, one in which many of your Lordships, and especially my noble and learned Friend (Lord Lyndhurst) take a deep interest—I mean the subject of Lunacy. My Lords, there is a great deal of machinery at work (but perhaps not too much) on this subject. There is not only the authority of the Great Seal acting under the authority of the Queen's Sign-manual, but there are two Masters in Lunacy, and a Registrar in Lunacy, and there are three Visitors, whose duty it is, under the Act of Parliament of 1833, to visit persons who are lunatics, by inquisition. Besides that, there are, under another Act of Parliament (commonly called Lord Shaftesbury's Act), eleven Commissioners, five of whom are unpaid and six are paid, that body being presided over by the noble Earl himself (the Earl of Shaftesbury); of whose zeal and the dedication of whose time to this service it is impossible to speak too highly. Their duty is to license asylums, to visit those asylums, and generally to have the supervision of them. That system has worked well; but in the course of time has been found to require considerable amendment. Those amendments are now in progress, under my direction, with the full co-operation of the noble Earl and his colleagues; and I have every reason to believe that all the difficulties which have hitherto been found to arise in the working of the Commission will be removed by the assistance of Parliament. The Masters, who are attached to the Lord Chancellor in a more particular manner than those Commissioners are, execute all Commissions of Lunacy, and also receive orders and make inquiries. They are very fully employed, and are persons very competent to their duties. The Registrar also has important duties to perform, which he performs very much to my satisfaction. However, when the system is that the Lord Chancellor has, as a matter of course, to send everything to the Master for inquiry, and that then the Master has to inquire, and when he has made inquiries to send it back to the Lord Chancellor, and that then there is to be a hearing in Court before him, there must be undoubtedly a very considerable loss of time, and much unnecessary expense. Then, again, there are many cases in which, on the execution of a Commission of Lunacy, the intervention of a Jury is not only unnecessary but absurd. My Lords, too great anxiety cannot be felt, with regard to the liberty of the subject, not to dispense too hastily with a jury as a universal rule; but there are cases in which, upon the mere sight of a person, it is manifestly a solemn mockery to summon a jury to inquire whether he is of sane mind or not, and, for that purpose, to bring him before the jury, paining unnecessarily the feelings of relatives and friends without the slightest object. I propose to do away, as far as may be, with this evil by means which I will presently explain to your Lordships in detail. There are three classes of criminal lunatics for whose care and maintenance it is necessary to make provision: criminals who have been acquitted on the ground of insanity; criminals who are in custody, and have never been tried because they are lunatic; and persons who are dangerous and at large. I could not entirely agree with what was proposed by the noble Earl (the Earl of Shaftesbury) last Session in the Bill which he introduced for a very excellent purpose—namely, for enabling a person who was evidently insane and dangerous to be at once taken and confined, and also to provide for the maintenance of persons who were in lunatic asylums, and were left there by their friends, and who, for the want of funds, were liable to be turned out by the keepers of such asylums, even though their being at large might be attended with danger. I hope to devise a plan which, while it will save the public from the danger to be apprehended from a person clearly insane being left at large till proper steps can be taken to confine him, shall, on the other hand, involve no danger of the infringement of the liberty of the subject in any way.

At present, with respect to Commissions of Lunacy, the course pursued is this: In the case of each person supposed to be a lunatic, a commission issues, directed to the Masters, to inquire with a Jury whether the person is of unsound mind or not. I propose to issue one standing commission, and to refer every case as it occurs to it. By that means there will be saved at once a very considerable expense. I then propose that in every case there shall be notice given to the person respecting whom the inquiry is to be made, and that he shall be at liberty to require a jury; and that unless the Lord Chancellor himself, upon personal inspection of him, shall be of opinion that his infirmity of mind is so great as to render him incapable of forming a rational wish, he shall be allowed to have the intervention of a jury. The examination by the Lord Chancellor would be analogous to that which he now makes in cases of application for a traverse. Such an application my noble and learned Friend near me (Lord Cranworth) will remember was made in the case of Mrs. Cumming, when he and I and our learned Colleague held that a party was entitled to a traverse as of right, subject to an inspection by the Lord Chancellor, the object of such an inspection being to ascertain, not whether the party is of sound mind or not, but simply whether he is so far sane as that the traverse may appear to be really desired by himself, and not merely by some other interested party. In like manner I propose that, if upon a similar examination in the case of an application for an inquiry, the Lord Chancellor sees that the party himself really wishes for it, he shall direct a jury; but that if no such requisition is made by the party, or the Lord Chancellor is satisfied, on such personal examination, that the party is not competent to express a desire upon it, and that it is unnecessary, the Master shall proceed with the inquiry without a jury—and that the finding of the Master that the party is insane shall operate as an inquisition taken before a jury. And I propose, besides, that the Master should in any case have power to summon a jury, if, on investigation, he think it necessary. In that way an enormous expense will be saved, while the rights of this unhappy class of persons will be entirely preserved. Again, my Lords, a large expense is now incurred by the inquiry at what time the party first became of unsound mind. This originated, no doubt, in a desire to protect the rights of the Crown; but the Crown no longer takes any beneficial interest in the estates of lunatics. The result of the inquiry on this point is in nine times out of ten of no value at all, and in no case is it of any value beyond its being *primâ facie* evidence. It very often happens that after all these inquiries have been made, and every protection has been carefully and laboriously thrown around the lunatic, you have not left him enough of his property to provide for his bare maintenance. My intention therefore is, that it should be provided that the inquiry as to the sanity or insanity should have relation only to the time present, unless under a special Order of the Lord Chancellor for carrying it back to a particular date. I propose, further, under the power given by an Act of last Session, to substitute a percentage on the incomes of lunatics for the fees now paid; and, my Lords, I think I may say that the application of that principle may be safely intrusted to my hands, because I have always been of opinion that it is most unjust to make a rich man who is afflicted with lunacy liable to pay the expenses of a poor man who is similarly afflicted, merely for that reason. I also propose to get rid of unnecessary attendances by the next of kin. The next of kin have a sort of inchoate right to look after the property of a lunatic, because if he die without leaving a will, they may be entitled to inherit. I do not mean, therefore, that the attendance of the next of kin should be altogether prevented, but that in proper cases a certain number should be allowed to appear. The next thing to be attempted is, to save those unnecessary references which I have already alluded to. The great difficulty is, to improve the working of the Masters' Office, by extending their powers without trenching on the authority of the person acting under the Queen's Sign-manual, which authority it is impossible to give up. A man petitions for an inquiry—the Lord Chancellor sends it to the Master—the Master makes a report, which goes again before the Lord Chancellor. I shall propose that, for the future, wherever the Masters are of opinion that if a petition went to the Lord Chancellor he would send it to them as a matter of course for inquiry, they shall have power to proceed with the inquiry without any order of reference at all, of course subject to objection by any party—and I think that may be accomplished. The last question with which I have to trouble your Lordships on the subject that I am now dealing with is this: a great many matters are brought before the Lord Chancellor at a public hearing in Court, which may be appropriately disposed of at Chambers. If, my Lords, we adopted a system in perfect harmony with the provisions of the Masters in Chancery Abolition Act of last Session, the Masters in Lunacy should have chambers in immediate connexion with the Lord Chancellor; but that is impracticable. I propose, however, that when the report of a Master is not objected to, that report, instead of being made the subject of a petition which must be heard by the Lord Chancellor in Court, shall be transmitted from the office of the Master to the Lord Chancellor by the hands of the Registrar. If it is a matter which requires public investigation, either party will have the right to require it to be so investigated. In that way no expense will be incurred by an order so made in Chambers beyond the necessary cost of the order itself. My Lords, there is a class of small cases in Lunacy with respect to which a great deal of feeling has been naturally excited. Several very painful cases were stated to your Lordships last year—for instance, the case of a household servant who had saved a small sum in the course of his service, and who became a lunatic. A commission issued in his case, and the various expenses left scarcely anything of his hard-earned savings for his support. I propose to deal with the cases of such persons with great tenderness. In cases where the amount of property is under 700*l.*, or the income under 50*l.*, I propose that it shall be charged nothing under the scale of percentage till the fund is called for out of Court on the death of the party himself, and then only such a small percentage as will be a fair contribution towards the expenses of the establishment. There is only one point further on the subject of Lunacy which I will mention. Your Lordships are aware that in the Act which I have already mentioned as Lord Shaftesbury's Act, there is an exception of Bethlehem Hospital from the jurisdiction of the Commissioners, and one of the proposed amendments of that Act is to give the Commissioners power to visit that Hospital. I say this without the slightest intention of implying any censure upon the governors of that institution. Charges have been made against them: it may be my duty to investigate those charges; but it has not been so hitherto, and I can sincerely say that I am altogether ignorant of the merits of the charges against them.

Another subject on which I have some observations to make to your Lordships is that of Bankruptcy. The Act of 1849 established an entire code of bankruptcy law. It required Orders, however, for the purpose of putting that Act into full operation, which Orders have only recently been issued by the Commissioners, with my approval, as the Act required. Great difficulty was experienced in obtaining the concurrence of eight Commissioners, which the Act rendered necessary. I, however, set about the matter with some earnestness, and 163 orders have been issued, which complete the system that the Act of 1849 introduced. One great difficulty which has been felt is with respect to the payment of the official assignees. It is a subject which has very much engaged, not your Lordships' attention, but the attention of merchants in the City of London. The Act of Parliament seemed to give to each Commissioner the power of fixing the allowances to the official assignees in his own Court, which led to variation of the scales in the Courts of the different Commissioners; but I propose that the Lord Chancellor should have power, with the advice and consent of the Lords Justices, to adopt one scale binding in the Courts of all the Commissioners throughout the country. With regard to their remuneration, the official assignees have been placed in a false position. When those officers were first appointed, there were great arrears of bankrupts' estates outstanding, from which the official assignees received a large income; in some cases, I believe, so large as to exceed the incomes of the Commissioners, the Registrar, and all the other officers of the Court. In the course of time that source of profit ceased, and they now complain that their emoluments are too small. I have been reluctantly induced to agree to an order which gives them a certain percentage upon each debt. For a long while I objected, and wished the allowance to be upon the gross receipts; but I was told that that would be a very insufficient amount, and that it could not in justice be adopted, and therefore I gave it up. But the new system must be subject to this condition: I propose not to fill up the appointment of any official assignee, which being left vacant would enable the other official assignees to obtain a sufficient remuneration. In the case of Manchester, one of the official assignees has been unfortunately dismissed. I have not filled up the vacancy so occasioned, because the income arising from that particular office is not sufficient to remunerate a gentleman for his labour and time; but by this addition to the remuneration of the others the difficulty will be overcome. I propose, also, that the Lord Chancellor shall be empowered to refrain from filling up vacancies which may occur in the number of Commissioners in the country, so as to bring the number more into accordance with the requirements of the district. My Lords, I have been very anxiously inquiring what can be the reason why the business in the Court of Bankruptcy has fallen off, especially when I perceive that the fees received in respect of business in that Court are insufficient to meet the expenses. At the same time, my Lords, it must be borne in mind that the payments include an amount of 18,000*l.* a year for compensations to gentlemen whose offices have been abolished by Parliament. Therefore it is not fair to attribute to the present administration of justice in bankruptcy the expense represented by the whole amount of those payments. As these compensations drop, the funds of the Court of Bankruptcy will become more capable of defraying its current expenses. One reason assigned for the falling-off of the business, has been, that the system of giving different classes of certificates operates as a stigma upon the trader. The first commercial men in the City of London, merchant princes as they are, men of the highest feelings, may fall into misfortune; but in order to obtain a first-class certificate it is requisite that nothing but unavoidable misfortune shall have contributed to the bankruptcy of the party. Now, the very heart and soul of commerce is enterprise, and it is very difficult to say where enterprise ends, and want of due caution begins. I am persuaded that one of the effects of the present system is to keep out of the Court of Bankruptcy many cases where persons would gladly avail themselves of it, were it not for fear of the stigma which might be unjustly inflicted upon those who by their instrumentality become exposed to it. The Act of Parliament enacts that "the Court, having regard to the conformity of the bankrupt to the law of bankruptcy, and to his conduct as a trader before as well as after his bankruptcy, and whether the allowance of his certificate be opposed by any creditor or not, shall judge of any objection against allowing such certificate, and either find the bankrupt entitled thereto and allow the same, or refuse or suspend the allowance thereof, or annex such conditions thereto as the justice of the case may require." It is, therefore, imposible to say that a very large power is not here given to the Commissioner. It is enacted in the next section that the certificate shall be in the form given in the schedule, and from that schedule all the difficulty has arisen. The Commissioner is directed by the schedule to certify that the bankruptcy has arisen from unavoidable losses and misfortunes, and thereupon to award a first-class certificate; or that the bankruptcy has arisen not wholly from unavoidable losses and misfortunes, in which case he is to award a certificate of the second class; or that the bankruptcy has not arisen from unavoidable losses and misfortunes, in which case he is to award a certificate of the third class. The consequence of this is, that the Commissioners have the power to examine into all the acts of the bankrupt, including his personal conduct, and to scrutinise it in a way which has led to very great objection on the part of many persons to bring those with whom they have had commercial dealings into the Court. I propose to repeal so much of the Act as gives the Commissioners power to grant 1st, 2nd, and 3rd class Certificates, but to leave untouched the power of refusing or suspending the allowance of the certificate. The second reason alleged for the falling-off of business in the Court of Bankruptcy is, that the percentage is unduly high where the property exceeds 1,000*l.* This objection I propose to obviate, if I find the allegation is well-founded. I may mention another thing which has led to a falling-off of the funds of that Court. Parties have been in the habit of entering the Court and availing themselves of its jurisdiction up to a certain point, and then, when it was convenient to themselves, of withdrawing from it and settling matters privately. I am far from desiring to interfere with their power of doing so, but I think they ought not to be allowed to throw serious labour upon the officers of the Court, without paying a just contribution towards the expenses of the Court.

It was proposed last Session by my noble and learned Friend (Lord Brougham), that certain of the powers of the Court of Chancery should be exercised by the Judges of the County Courts. I entirely agree with my noble and learned Friend that those powers may properly be given in aid of the Court of Chancery; but I propose to give them to the Commissioners of the Court of Bankruptcy instead of to the County Court Judges, because I think that the Commissioners, from the nature of their jurisdiction, will be likely to perform those duties with more satisfaction to the Court of Chancery itself. I also propose to give to the Commissioners of Bankruptcy jurisdiction under what are called the Dead Men's Clauses. Under those clauses the Court would have the same jurisdiction after the man's death as during his life, subject to this restriction, that the man had been a trader within the bankrupt laws at the time of his death, and that his debts remained unpaid for a certain time after his death. One difficulty in the way of the adoption of this course is, that I have ascertained that the costs of such proceedings in the Court of Bankruptcy would be considerably higher than the costs of similar proceedings in the Court of Chancery. Another difficulty is, that under the administration of bankruptcy specialty debts are cut down to an equality with simple contract debts. This is not objectionable in the administration of bankruptcy when the trader is alive, but of course it cannot be allowed after his death. It will therefore be necessary, my Lords, to take care to reserve to the specialty creditor the rights which he would now have in the Court of Chancery after the death of his debtor.

Another point to which I would refer before passing from the subject of Bankruptcy is this: Solicitors are now permitted to appear as advocates before the Commissioners of Bankruptcy. I propose to put the same restriction as is now put upon attorneys under the County Courts Act. That is, my Lords, I object to what are called attorney-advocates. I do not object to a man's attorney arguing his case for him, but I do object to an attorney being turned into a barrister, and acting as an advocate. There is no fair play in that. I desire to see the profession stand upon its proper basis. I wish the barrister not to trench upon the province of the attorney, nor the attorney upon the province of the barrister. Let each stand in his own place. Depend upon it, my Lords, if the system which has so long prevailed be broken in upon, great evils will ensue. It will necessarily lower the character of the Bar. Whether it will elevate the character of attorneys, I will not stay to determine; but, at any rate, there must be equality. Your Lordships had, in the course of last Session, to decide whether you would continue the restriction upon counsel from acting in the County Courts without attorneys, or whether you would leave the etiquette of the profession and the honour of the Bar to maintain things as they have hitherto existed. It so happened that the decision of that question, if I may say so, devolved upon myself. My noble and learned Friends were divided in opinion, two and two, and as the matter was left by the House to the decision of the Law Lords, it necessarily fell to the fifth to give the casting vote, if I may call it so, upon the question. I did give that vote with great reluctance in favour of repealing the law which prohibited counsel from acting without attorneys; but while I did so I took care expressly to state that I gave that vote upon the distinct statement that attorneys had threatened the Bar that if they took business in the County Courts, they should not have business elsewhere. I meant to leave it, therefore, to the honour of the Bar to act as they had always acted, not intending to open the door at all, unless there be an absolute necessity for it, to the practice of barristers acting without the intervention of attorneys—a practice, in my view, highly objectionable, and one which I should be the last person to countenance. Certain barristers, however, I regret to hear, have since then taken upon themselves to decide that they will thus act without attorneys. That is a practice, my Lords, which cannot be too highly reprobated. I am far from saying that, in the present state of the law, the Bar, as a body, may not properly meet and consider what it becomes them in their station to do. But if any such serious change in the long-established usage of the Bar is to be made, it ought at any rate to be made with the concurrence of a large majority; and I entirely object to any small number, or even to any considerable number, taking upon themselves to act contrary to the general rule of the profession, now so long established. My Lords, the Bar at the present moment is in a state of transition, and I would recommend everybody having any voice or any influence in this matter to consider where—if you allow the Bar to lower its own station or dignity—you are to look for learned persons to fill your Benches and carry on the administration of justice.

With respect to the County Courts, my Lords, it is not the intention of Her Majesty's Government at present to propose any change in them. My noble and learned Friend (Lord Brougham) wished for an appointment of a commission of inquiry as to their operation; but I think so many changes have already been made in them by the Legislature that we ought now for a time to leave them alone, especially as there is so much that is useful in other ways to be accomplished.

The same noble and learned Lord will be glad to hear that it is the intention of Her Majesty's Government to proceed with what is called a "Digest of the Criminal Law." Your Lordships are aware that this is a subject which has been very much considered. Two Commissions have been appointed, whose labours have occupied, in the whole, some fifteen years, and have produced thirteen blue books, in which is to be found much valuable information. The country has already expended 40,000*l.* in the acquisition of this information; and it is desirable that that expenditure should not be thrown away. At the same time, Her Majesty's Government do not feel it necessary to renew the Commission: such a step they consider would only lead to expense, delay, and difficulty, and they therefore propose to proceed with measures founded upon the existing reports, which contain abundant and well-considered materials for legislation. I am, as my noble and learned Friend well knows, no friend to codification in general. But, if that principle can be properly applied in any case, it surely may be so in the case of the Criminal Law. Even there, however, we must proceed with much caution, with regard as well to the substance as to the form of the Digest. My noble and learned Friend, I observe from a printed letter of his, seems to think that we should not attempt to improve or alter the subject, but take the propositions as we find them. My Lords, unless we are careful, we may collect a set of bad treatises and give them a binding effect. Valuable treatises are now resorted to by the Judges for information, but they are not bound by them; they can, therefore, extract the principle, and adapt and mould the relief as justice may require. But if effect be given to like treatises as statute-law, the Judges must follow them implicitly, and thus great difficulty will arise: for it would be dangerous to allow the Judges to depart from the rule as digested, and yet without that power it would constantly be found necessary to resort to Parliament to amend the law, than which nothing can be more prejudicial. I propose, therefore, without attempting anything like the *Code Napoleon*—for it is impossible for us with our system of legislation to revise the law in the manner in which the laws of France were discussed and revised before binding effect was given to the Code—to correct any anomaly or error which we discover, and to make the Digest as accurate in point of law as if we were passing enactments in the ordinary way, although it is manifestly hopeless to expect the same accuracy in all the details of a vast subject as if we were dealing with only a branch of it. It may, after all, be a dangerous experiment, and it must not be considered as a pledge on the part of the Government to proceed beyond the Digest of the Criminal Law. I have, however, the satisfaction of now informing my noble and learned Friend, that, consistently with these views, the first part of such a Digest has been actually prepared in the form of a Bill relating to Offences against the Person. The subject of the Criminal Law is a very large one, and it would be a vain attempt to deal with the whole of it at once, and to pass the entire Digest in one Bill. The subject, therefore, must be broken up into parts to be dealt with in separate Bills. And we propose, as I have said, to begin with Offences against the Person. This course will have the further advantage that it will give an opportunity of introducing those amendments which will, doubtless, be found necessary from time to time, before the several Bills have been gone through. When all the Bills have been passed, I would not consolidate them into one Act, because a very long Act of Parliament is a very great evil; but, on the other hand, it is no less an evil to be obliged to search for different Acts on the same subject, scattered through many volumes of the Statute-book. Therefore, at the end, the course will be to repeal all the Bills which have been enacted, and to re-enact them at one time, with the corrections and amendments, numbering them consecutively, so that they may be found with convenience, following one another in a proper order, in the same volume of the Statutes. In that way you will gain great facility of reference, and will have all the advantages of a single Act of Parliament without its cumbrousness and inconvenience.

The only remaining subject to which I need refer, is the Patent Law Amendment

Act of last Session. Orders have been requisite for the purpose of bringing it into complete operation, and to the issuing of those Orders I and my learned Colleagues the Commissioners are now addressing ourselves.

My Lords, I know that Her Majesty's Government will have the assistance of noble Lords on both sides of the House in maturing and carrying into execution the various measures to which I have referred. Fortunately, they have nothing to do with politics, but relate only to a subject which we all must regard as of paramount importance — the administration of justice. I feel that I owe no apology to your Lordships for the length at which I have detained you, but I must express my gratitude for the patience with which your Lordships have listened to me.

Lord BROUGHAM said, he was quite sure that never was debt of gratitude less due than on the part of his noble and learned Friend; for no one could have listened to him without being fully aware that they must express their gratitude to him, not he to their Lordships. The great variety of the subjects opened, he might say largely discussed, by him, and their importance, their variety, the difficulty of some, the importance of all of them—might well be a reason for his not following him over the field which he had so ably and so learnedly gone over. He must reserve his opinion, as their Lordships also would do, on the subjects touched upon, until the Bills themselves, embodying the suggestions made, were before the House, only he could not entirely concur with his noble and learned Friend on some of the subjects, and he entertained considerable doubt in regard to others; but he would advert to one or two merely by way of sample. As to lunacy, for instance, he had no doubt that the object proposed was highly desirable, but he felt considerable doubt as to the *modus operandi.* He believed, in the matter of bankruptcy, that great improvement might be effected in the circumstances of those holding the office of official assignee, although it had not been stated how that was proposed to be done; but he gave his noble and learned Friend credit for the course he intended to adopt in respect to those highly useful officers in not filling up vacancies, except so far as the business of the Court required, with a view to an increase of the fund for the relief of those who remained in as official assignees. There was another instance in which he concurred in part, and as to portion differed, from his noble and learned Friend. He had great doubt as to the question respecting certificates. He admitted that the falling-off in bankruptcy business was mainly to be attributed to the establishment of three classes of certificates, and some improvement might possibly be effected in that part of the system; at the same time he affirmed that a more useful improvement never was made than that which was introduced by the establishment of these three classes of certificates in the Act of 1849. This system might be improved—abandoned it never could be. As to the Suitors' Bill which his noble and learned Friend proposed, as it would be doing for the suitor no more than the strictest justice, so it would be a great improvement generally; upon that there could be no doubt. Upon one point he felt gratitude was due from all amenders of the law to his noble and learned Friend. After his long experience of the profession, and now charged with its highest judicial duties, he had recognised the great principle in express terms, that the suitors ought to be enabled to obtain their just rights, when withheld, or to defend them when attacked, without paying taxes of any kind as suitors for the administration of the law—which it was the bounden duty of the Government to provide, not of the unfortunate suitor, it being the condition of the subject's allegiance that he should be protected. There were some other questions upon which he would have made a few remarks, had it not already been so late; but another opportunity would offer when the measures themselves were under the discussion of the House. He was sorry to find his noble and learned Friend avowing he was not a friend of codification; but he hoped his noble and learned Friend would not imagine that his objections could not be satisfactorily and triumphantly answered. He would not refer to those objections which he had urged, further than to say they were old, and had often been answered: suffice it for him to express his great satisfaction that his noble and learned Friend made an exception in favour of the criminal law, whether consistently or not was immaterial. He (Lord Brougham) thought there was no inconsistency, though he knew that some considered the criminal law less fit for a digest than any other branch. In that he did not concur. The course which the noble Lord proposed to adopt upon that, by taking the subject not as a whole but piecemeal, was the same suggested by one of the learned Commissioners, Mr. B. Ker, who some time ago convinced his noble Friend opposite (Lord Lyndhurst) and himself that it was advisable to pass the digest which he (Lord Brougham) had on the report of the Commissioners twice brought in as a Bill, in separate Bills, beginning with the great chapter of Offences against the Person, prefaced, of course, by the preliminary chapter applicable to all offences; and that Procedure should come last. The discussions they had held at the beginning of the recess had led to this opinion, and also to the necessity of having the whole statutes repealed and enacted as one digest, in the manner now proposed (with the numbers running through it). He said he did not despair of seeing his noble and learned Friend come round to the opinions which he and others held upon codification of the law. But there was another subject on which he differed, he feared, yet more widely from his noble and learned Friend—he meant Registration. [The LORD CHANCELLOR: Hear, hear!] However, even here he was not without hope. He had known instances in our history, he would not say at what period, of great changes of opinion on subjects if possible more important—certainly more interesting to the community at large. He recollected, in those passages of history, mention being made of many persons, bodies of men important both from their number and their value, holding very strong opinions on subjects still more exciting than that of cheap law; and after living some few years in these very decided, and even vehement, opinions, all at once coming round to the views he and others held, so that now there really was no difference whatever between them; and, to his unspeakable satisfaction, he found himself ranged at the same side on the very important and interesting, and even exciting, subject of cheap—he would not say what, but he might call it, for the present, cheap law, as if they had never differed about it. He hoped that a like conversion awaited his noble and learned Friend upon the subject of registration, when it should be called for by public opinion, just as the kind of cheap law had been to which he now referred. He could not sit down without expressing his opinion of the great merit of his noble and learned Friend with regard to the measures of last Session; it would be the height of ingratitude in him, and all desirous of improving the law, were he not to recognise the extraordinary labour—the skilful and learned labour—which he had bestowed in carrying those Bills into execution, and in that labour the self-denial, as to any increase of his patronage, which had prevailed through the whole course of the last autumn's labours, in preparing the orders under the Patent Laws Bill, the Suitors' Bill, and the Masters Abolition Bill. Speaking of the Patent Laws, without the least distrust of his noble and learned Friend proceeding with the measures now announced, he proposed to pursue as to some of them the same course he had taken last Session on the Patent Laws; namely, to present his Bankruptcy Bill and County Courts Extension Bill again, while his noble and learned Friend presented his Bills on those subjects; just as formerly his (Lord Brougham's) Patent Law Bill had been presented along with the Bill of the Government; and their Lordships would see which of the two Bills was best, or prefer, as they did in the Patent Laws, a combination of both. He would therefore bring before their Lordships that part of the County Courts Extension Bill of last year and the year before, which was not passed last Session, but was postponed not to disturb the great Bill for the improvement of the Jurisdiction of the Equity Courts. He would add a third Bill, which was two years ago before them, for extending the Jurisdiction of the County Courts to equitable matters, for it was difficult to justify, and the public were ill reconciled to, a system which suffered them to obtain justice at their own door without delay and at little cost upon rights of one kind, as on one sort of debt or claim, and yet on another kind of debt or claim drove them, not only from their own door, but into the expense and delay of the Court of Chancery. And, lastly, he proposed to lay upon the table a Bill for the further improvement of the law of evidence and procedure, which would contain the following provisions upon that important subject, namely, making competent the evidences of husband and wife—competent and compellable in all cases except criminal trials and adultery, and except in matters communicated by either to the other during coverture; regulating all matters connected with the payment of money into court, and providing that the payment into court should be no admission upon the question at issue; regulating the examination and cross-examination of witnesses with respect to the objection of raising collateral issues; regulating, partly by declaration, partly by enactment, what was known as the rule in the Queen's case, the cross examination of witnesses upon the contents of written documents; depriving witnesses of the protection afforded them at present by law against answering questions where their answers might criminate themselves, and preventing any such answer being given in evidence against them in any prosecution, except for perjury upon those answers. Then as to procedure in all cases between the Crown and the subject, to place them both on the same footing with regard to the right of reply, and other privileges now claimed by the Crown; next, where a party has been acquitted, whether upon a proceeding for penalties, or a criminal procedure, that he should be entitled to his costs against the Crown, subject to the discretion of the Court; and, lastly, to facilitate under the authority of the Court, or a Judge, the change of the venue in criminal cases. He had great doubts whether he ought not to go a step further in dealing with these matters; for it was found in the County Courts that the result was that not three in a hundred of the cases were tried by jury, where either of the parties had the option; and he really felt that in cases of debt and contract, not of tort, it should be left optional with the parties in the Superior Courts, as it was in the County Courts, to try by a jury, or content themselves with the opinion of the Judge. On one subject more he must detain their Lordships. He must express his earnest hope that strenuous efforts would at length be made to prevent bribery and corruption at elections, by some other mode than that now adopted. This could not be done in the two ways proposed for effecting it; it could not be done either by the ballot or by a large increase of the constituent body. As to the ballot, he said he had, he would not say an irremoveable objection, but a very great repugnance to it on various grounds. Respecting these, doubts might be entertained, but of one thing he was quite certain—the ballot was no cure for bribery. It would not prevent bribery, but it would prevent prosecution for it. The promise would be given to pay so much if a certain person was elected, and thus every voter taking the bribe would be converted into an agent for the bribing party, as well as being himself a corrupt voter. He also saw no kind of security against bribery in the increase of the constituent body. He was, and ever had been, decidedly favourable to that increase, so it were made upon safe and well-considered principles; and especially if it were so made as to improve the representative body itself; but he expected no benefit from it as regarded the prevention of bribery. It was only when parties were somewhat nearly balanced that bribery was rife—and a few hundreds turned the scale in a very large body of voters. A certain number to turn the scale would be found in a body of 10,000 as well as one of 400 or 500, and these would be the persons bribed. He was, therefore, of opinion that more stringent measures ought to be taken for the prevention of this most pernicious practice. The criminal law against it must be made more severe, and the new law of evidence would, with that increased severity, extirpate the offence, one of the most crying evils of these times. His Lordship then introduced, 1st, a Bill for further amending the Law of Evidence and Procedure; 2nd, a Bill for Extending the Jurisdiction of the County Courts to certain Matters cognizable in the Court of Chancery; 3rd, a Bill further to extend the Jurisdiction of the Judges of the County Courts, and to facilitate Proceedings in the High Court of Chancery; and 4th, a Bill to limit the Jurisdiction of Her Majesty's Court of Bankruptcy, to abolish the Courts of Bankruptcy for the County Districts, and to give to the Judges of the County Courts Jurisdiction in Matters of Arrangement and of Bankruptcy in certain cases; which were severally read a first time, and ordered to be printed.

House adjourned to Friday next.

HOUSE OF COMMONS,

Tuesday, November 16, 1852.

MINUTES.] PUBLIC BILLS.—1° County Elections Polls; Bank Notes.

CASE OF MR. NEWTON AT VERONA.

MR. HUME said, that seeing in his place the noble Lord the Under Secretary of the Foreign Department, he wished to ask the question of which he had given notice. Although it was most desirable that British subjects should be protected in foreign parts, they ought at the same time, when complaints were made, to endeavour to ascertain as fully as possible the circumstances that caused those complaints. In the month of June last a letter was written by the father of the individual to whom the present inquiry had reference, making certain charges against the officials in a public department at Verona; and he (Mr. Hume) begged to ask whether any inquiry had been instituted into the complaints of Mr. Henry Robert Newton, who in June last was arrested in Verona, imprisoned, and treated with great indignity, and all explanation then and there refused; and whether any apology or explanation had been offered by the Austrian Government?

LORD STANLEY: Sir, in answer to the question of the hon. Member, I have to confirm, in the first place, what he has stated, namely, that in the month of June last a British subject of the name of Newton was arrested at Verona, and detained under circumstances of considerable hardship. The circumstances of the case were these: Mr. Newton was arrested on suspicion of sketching the fortifications, he being at the time, as he stated, and as we have reason to believe, not so engaged; but it is fair to say, that the suspicion was not unreasonable, inasmuch as Mr. Newton had at the time a book and map spread open before him. I merely mention these trifling circumstances to show what, indeed, Mr. Newton himself acknowledges, that as regards his original arrest, he has no ground for making any charge against the authorities. The city of Verona was at the time in a state of siege, and there is no reason to suppose that he was treated, so far as the original arrest was concerned, with exceptional harshness or severity. Subsequent to the arrest he was taken to the guard-house, orders were given that his papers should be examined, and that if, on their examination, nothing was found tending to criminate him, he should be set at liberty. These were the orders that were given, but unfortunately they were not obeyed. The search took place, and nothing was found of a criminatory character amongst his papers. When the search concluded, it was late in the evening, and by a gross neglect of duty on the part of the officer of police in whose charge Mr. Newton was, instead of releasing him, when nothing was discovered against him, he detained him all night, and did not liberate him until the following morning. Mr. Newton unfortunately, in my opinion, did not immediately proceed to put the case in the hands of the British Consul General at Venice, but preferred applying for redress in person, and without communicating with the Consul. He did not succeed in obtaining any satisfactory explanation from the authorities, and having so failed, he then put his case into the hands of Mr. Dawkins, who took it up with great energy and promptitude. Shortly afterwards complaints were made to the Foreign Office by Sir William Newton, the father of the complainant, and a letter was written by him, dated 16th July, stating the particulars which I have related. Immediately on that letter being received, a full account of the circumstances as they were stated by Sir W. Newton to have occurred, was sent to Lord Westmoreland our Ambassador at Vienna. An inquiry was instituted, and there being some discrepancy between the different accounts, a correspondence of some length took place; but the end of that correspondence has been that a full and ample expression of regret has been obtained from the Austrian Government, accompanied by a promise that, in future, care shall be taken to prevent British travellers from being ill-treated in a similar manner, and to see that the regulations in force in Austria are carried out with no unnecessary hardship on individuals. That expression of regret having been obtained—the original charge of misconduct having been against a subordinate officer, and the promise I have mentioned having been given by the Austrian Government, it was the opinion of Her Majesty's Government that, under the circumstances, nothing more could be expected or required.

THE BOARD OF CUSTOMS.

MR. W. WILLIAMS: I beg to ask the right hon. Gentleman the Chancellor of the Exchequer whether it is the intention of the Government to bring in a Bill to carry out the recommendation of the Committee appointed last Session to inquire into the constitution and management of the Board of Customs?

The CHANCELLOR OF THE EXCHEQUER: I have directed the recommendations of the Committee to be submitted to the Commissioners of Customs, and I received their Report—a very elaborate one—only last month. I have very much considered it, and it is the intention of the Government to place a Treasury Minute on the table, which I hope I shall be able to do before Christmas, indicating all those changes that we think ought to take place in the present administration of the Customs, and some of those changes will require legislative interposition.

FUNERAL OF THE DUKE OF WELLINGTON.

SIR CHARLES WOOD brought up the First Report of the Committee appointed to consider the circumstances relating to the attendance of the House and their place at the solemnity of the Duke of Wellington's funeral. It was as follows:—

"Your Committee have examined the Journals touching the proceedings and circumstances relating to the Procession of this House, and their place, on the occasion of public funerals, and they find that, in the year 1694, the House, with the Speaker, attended the Funeral of Her Majesty Queen Mary; that seats were reserved and tickets given to Members, with the Speaker's name, and that of each Member, for his admittance.

"Your Committee also find that in the year 1708 the Speaker was deputed on the part of the House, to present an Address to Her Majesty Queen Anne.

"Your Committee are of opinion, that it would be convenient, on this occasion, that the Speaker should be deputed to attend the Procession on the part of the House, and that the House should attend in the Cathedral Church of Saint Paul, and that the Speaker, when he arrives there, should take his place accordingly.

"Your Committee have examined respecting the arrangements for the accommodation of Members. They find that 500 seats are reserved for Members in front of the North Transept.

"Your Committee recommend that each Member should be furnished with a ticket of admittance with his name, and that the same should be distributed to Members, under the direction of Mr. Speaker."

Report to lie on the table.

CORONER'S INQUEST (SIX-MILE BRIDGE).

SIR JOHN F. FITZGERALD: Sir, as one of the representatives of the county where this sad event took place, I deem it a duty I owe not only to my constituents, but to the wives, children, and relatives of the unfortunate men who were slain at Six-mile Bridge, to move "for a Report of the evidence given before the coroner's inquest, held at Six-mile Bridge, in the county of Clare, in July last." I do so particularly at this moment, when I observe it is the intention of both the Attorney General and Solicitor General of Ireland to endeavour to quash the verdict of the jury, which verdict was one of wilful murder against a magistrate, and against eight soldiers who fired upon the people without receiving orders to do so, or without the Riot Act being read, and thus causing the bloody and untimely death of six of Her Majesty's subjects on the spot, and one who died subsequently of the wounds he received. This attempt on the part of the Attorney General and Solicitor General of Ireland to quash the verdict of the coroner's jury, has, I fear, an ulterior object, which is, that when the bill of indictment against the magistrate and the eight soldiers, for their trial at the next assizes of the county, is presented, it will render such presentment void, and thereby destroy the only hope of consolation left to those bereaved families, that the perpetrators of so fatal an act should be brought before the courts of justice, to answer the charge ordered against them by the coroner's jury—that of wilful murder. I understand that the plea set forth by the Attorney General and Solicitor General of Ireland, to quash the verdict, is, that the persons of the soldiers who fired the shots at Six-mile Bridge, on the 22nd of July last, were not sufficiently identified. This attempt, I must say, is a most severe and unjust reflection upon a jury, composed of men among the most respectable in the county, and who, regardless of every inconvenience they were put to in a small village, as to the accommodation, delayed their verdict till they had heard all the evidence, and the learned arguments of the counsel on both sides for nearly one fortnight. The next point of argument to which I wish to call the attention of the House is as to what business the soldiers had to be present in any shape or way at an election? The election law is clear and precise on this matter. Roger's election law on interfering at elections, says—

"'From the first establishment of a standing army the jealousy of the House of Commons has been directed to prevent any military interference at elections, or overawing them by their presence. Thus the House of Commons resolved that all elections of any knight or shire, or burgess, to serve in Parliament be made without interruption or molestation by any commander, governor, officer, or soldier.'—17th November, 1645, 4 *Journ.* 316. Again, 24th, *Journ.* 37, 22nd December, 1741: 'That the presence of a regular body of soldiers at on election of Members to serve in Parliament is a high infringement of the liberties of the subject, a manifest violation of the freedom of elections, and an open defiance of the laws and constitution of the Kingdom.'"

This resolution was passed in consequence of the proceedings at the Westminster election in 1741. The Westminster justices were ordered into custody and reprimanded by Speaker Onslow, for unnecessarily calling in the military. The concluding part of his address was as follows:—

> "What you have done is against one of the most essential parts of the law of this Kingdom. Had any real necessity been shown for it? There might be fears—there might be some danger—but did you try the strength of the law to dispel those fears and remove those dangers? Did you make use of those powers the law invested you with, as civil magistrates, for the preservation of the public peace? No; you deserted all that, and wantonly, and I hope inadvertently, resorted to that force, the most unnatural of all others, in all respects, to that cause and business you were then attending, and for the freedom of which every Briton ought to be ready to suffer anything."

See also debate on this subject, April 3, 1827, on the occasion of calling out the military at Carlisle. The whole of the proceedings of the Government in this most calamitous event have been most extraordinary, and might well cause the excitement which did prevail during the last elections in Ireland. But let me ask what raised those excitements? The illegal acts of the Government, infringing on the liberties of the subject, a manifest violation of the freedom of elections, by employing soldiers for the purpose of overawing them, in direct opposition to the law and constitution of this country. Finally, I must draw a contrast as to the manner the Government pursue in this country (England) and in Ireland, in the instance I now submit to the House. Here are a magistrate and eight soldiers, against whom a verdict of wilful murder is given by a coroner's jury. They are imprisoned to answer for so very serious a charge at the next assizes; but what do the Government legal authorities in Ireland? Bail is taken, and the magistrate and the eight soldiers are liberated. Now, mark the different line of conduct pursued here in a similar case. Two foreigners are imprisoned for being implicated in a fatal duel; their counsel makes an appeal for their being liberated on bail, and an instance is brought forward of bail being granted on similar events. What said the Chief Justice of England?—

> "He was firmly of opinion that if a person of the highest eminence was found guilty of murder by a jury, no tribunal of the country would liberate him without trial."

Now, Sir, all I ask—all I pray for—is, that a trial may be granted to have this melancholy event thoroughly investigated. It is due to the people of Ireland—it is due to the bereaved families of the unfortunate men who were so inhumanly shot; and, above all, it is due to justice. I therefore move for the report of the evidence given before the Coroner's inquest, held at Six-mile Bridge, in the county of Clare, in July last.

MR. NAPIER: Sir, there will be no objection to lay the evidence in this case on the table of the House when the proper time arrives; but at present the proceedings are under the consideration of the Court of Queen's Bench, and that Court has not yet given its decision. But judgment will probably be pronounced in a few days, and then the evidence can be furnished. With regard, however, to the observations of the hon. and gallant Member upon the conduct of the Government, I may be permitted to say that the Government had nothing to do with the calling out of the military. They were called out, as is usual, on the requisition of a magistrate of the county, who has shared in the fate of the soldiers, and who, by this very respectable Coroner's jury, has been declared guilty of wilful murder. Sir, before the proceedings of the inquest were laid before me, the soldiers had been committed to the gaol of the county on the Coroner's warrant, and the depositions then came up and were laid before me in the usual course; for whenever any person has been committed on a capital charge the course is to lay the papers before the Attorney General, in order to see whether he makes any objection on the part of the Crown to the parties being admitted to bail. The Crown does not interfere further than this. Whenever parties apply to the Court of Queen's Bench in these matters, the Court is always greatly influenced by the circumstance whether the Law Officers of the Crown have given or refused their assent to the motion to admit to bail. On receiving the depositions I felt it to be my duty not to lose a single moment in applying myself to them, and I read them twice over—an occupation which took me eight hours. I read them through before I went to bed, and I read them again the next morning, and having considered them, I felt it to be my duty to state my opinion that these parties should be admitted to bail. Judge Crampton, after hearing counsel for the next of kin of the persons killed, himself considered the depositions; and he, in pursuance of the authority vested in him as a Judge of the Queen's Bench, made an order admitting the parties to bail—a course for which he had, and has, my full concurrence. I may state, with reference to the case having been brought before the Court of Queen's Bench, that that Court was the Supreme Coroner of the Kingdom, and had the superintendence of all the Coroners throughout the country. The course I took met the entire concurrence of my colleague, the Solicitor General, who argued the case in the Queen's Bench in my absence; and as the case is now pending, of course it would be highly improper for me to offer one word of comment, one way or the other. With regard to a bill of indictment, I may observe that seldom is the course, even supposing there was no objection to the Coroner's inquisition, to proceed upon that. With hardly one exception, the practice is to send up a bill of indictment, and not act on the Coroners' inquisition; for experience has invariably shown that Coroners' inquisitions obstruct rather than promote the ends of public justice. But whether the inquisition be quashed or not, that will not interfere with a bill of indictment being sent up, and a proceeding is now pending against a newspaper, in which the very question of the hon. and gallant Baronet will be settled. It is to be tried in the sittings after term, and the subject is likely to receive in the Court of Queen's Bench, and before a jury in the city of Dublin, a very full investigation. Throughout these proceedings I have endeavoured, and I shall continue to endeavour, to do my duty; and whilst I am resolved to bring to justice all who have violated the law, and against whom I can procure evidence, I am equally resolved to afford the shelter of the law and constitution to those who have, as I believe, discharged faithfully a most invidious duty under the most harassing and oppressive circumstances. When judgment has been pronounced, the evidence shall be laid on the table.

Motion, by leave, *withdrawn.*

COUNTY ELECTIONS POLLS.

LORD ROBERT GROSVENOR begged to move for leave to bring in a Bill to restrict the duration of polling for County Elections in England and Wales. It would be in the recollection of the House that at the close of the last Parliament he had moved for leave to bring in a Bill to restrict the days of polling in Counties from two days to one, and that Bill had obtained a first and second reading, and had passed through Committee. The Government, however, had thrown out the measure on the third reading, not because they objected to the principle of it, but because it was contended that the time intervening before the general election was so short that opportunity could not be afforded for the new arrangements. He now moved for leave to bring in a similar Bill, not anticipating any objection on the part of the Government; but he might observe that he intended to carry restriction and reform a little further than in the previous measure. He proposed to reduce the days of polling from two days to one, and the period that elapsed between the nomination and the day of polling from two to one. He proposed also that the declaration of the poll should take place one day after the polling.

Motion made, and Question proposed, "That leave be given to bring in the Bill."

MR. PALMER did not rise to oppose the Motion, but he would observe that there was a considerable difference between this Bill and the one of last year. He acquiesced in the Bill of last year with some degree of doubt. He had had some little experience of county elections, and was very much inclined to think that it would be undesirable to adopt the proposition of the noble Lord. At times it would be exceedingly inconvenient to pin down the electors to one day. He would give an instance in his own county, where a poll was demanded without any one expecting it, and it happened that on one of the polling-days an important fair was held in the neighbourhood, which many of the voters were very anxious to attend, and consequently were incapacitated from performing their electoral duties. He had conversed with many of the electors on this subject, and they were of opinion that the change might be attended with considerable inconvenience.

MR. HUME would say, that the cases mentioned by the hon. Gentleman might easily be provided for by the sheriffs not fixing upon inconvenient days. The sheriffs ought to know when fairs took place, and not fix such days for polling.

MR. WALPOLE said, he thought that, seeing leave was given by the last Parliament to bring in a Bill somewhat similar to this, and that it even went to the third reading, it would be ungracious towards the noble Lord the Member for Middlesex to refuse him leave to bring in the present Bill. There were two points, however, he wished the House to bear in mind: the first was, that the objection taken on the part of the Government to the Bill of last Session was, that a sufficient opportunity was not given to Counties to provide poling places, so that every voter should have an opportunity of recording his vote. It was a matter of great importance that provision should be made for enabling all the votes in every County to be taken. The other point was, that the noble Lord was now going to add to the Bill a new provision, namely, that the period between the nomination and the day of the polling should be reduced from two days to one. He thought that was a matter which would require great consideration. They must remember that there was a great difference between boroughs and counties in that respect. In the boroughs the voters were all living either within the bounds or in the neighbourhood; but in counties the voters had their residence sometimes at a great distance, and assuredly every portion of a County ought to have an opportunity of knowing whether more than one candidate had been put up on the day of nomination, in order that the voters might have an opportunity of coming up and recording their votes. He only pointed out these things in order that the noble Lord might have no reason to complain, should he find the Government opposing the Bill when it was brought forward.

Lord ROBERT GROSVENOR said, that he thought that, whenever the discussion came on, he should be able to satisfy the House that the further changes he proposed were necessary.

Leave given.

ROCHESTER CONSISTORY COURT, &c.

Sir BENJAMIN HALL said, he rose to move for a return of the appointment of Officers in the Consistory Court, Rochester, and also in the Archdeacon's Court in the same city. He apprehended there would be little or no objection to his Motion; but, inasmuch as the dignity and character of that House was in some measure concerned, he would state the reasons which had induced him to put the notice upon the paper. On the 2nd May, 1850, that House resolved that an Address should be presented to Her Majesty, praying Her Majesty that certain returns might be made in reference to the Ecclesiastical Courts; and he was informed by the officers connected with the Government of that day, that they had the very greatest difficulty in obtaining the papers from the Officers of those Courts—so much so, that thirteen months elapsed before they were presented to the House. Another Address was agreed to by the House on the 7th August, 1851, praying Her Majesty to order that certain further returns might be made in reference to the same Courts; and similar difficulties had been experienced in obtaining those returns from some of the Courts, whilst others of them had made no return whatever. The fact was that some of these returns were not made until the 10th of May, 1852, exactly nine months after they had been called for by the House. He thought that when an order was made by that House, either through the medium of an Address to the Crown, or directly by the House, the persons to whom such order was sent ought to obey it. And no return having been made by the Ecclesiastical Courts of Rochester, he had no hesitation in submitting this Motion to the House, in order that the information in question might be obtained. He would also take that opportunity of stating that should that order not be complied with, he should take further steps to compel a compliance with it.

Mr. WALPOLE said, a return had been laid on the table of the House with the fullest information on the subject of the Ecclesiastical Courts of which the Government were in possession; and he could account for the absence of the returns of which the hon. Baronet complained only in this way. Several returns of that kind had been moved for by the hon. Baronet, and the officers thinking they had already made those returns in full, had neglected to continue the returns which were subsequently asked for. He was further informed that a return which had been moved for by the hon. Baronet in 1849, was presented to the House, and that the hon. Baronet never moved that it should be printed. If the hon. Gentleman would now move to have that return printed, he would gain from it fuller information than he could have from the return which he now asked for.

Sir B. HALL said, he apprehended that the right hon. Gentleman was under a mistake. During the Session of 1849, he (Sir B. Hall) was unable to attend the House except on one day; he had not made any Motion on the subject except in the years to which he had referred, and the officers of the Ecclesiastical Court of Rochester had made no return whatever to those Motions.

Motion *agreed to.*

DAY MAIL TO LEICESTER.

Mr. FREWEN said, that the House was doubtless aware, from the statements which had recently appeared in the public prints, that great injury had been done to certain lines of railway within the last few days, in consequence of the heavy rains, and in certain districts great inconvenience was occasioned, not only by the stopping of the regular communications, but also by the delay of the usual mails. It appeared to him that there was some want of proper caution on the part of the Post Office authorities in not forwarding the mails with that expedition which they might have used; for even though some of the great lines had been damaged, the mails should have been forwarded in the old way—by the turnpike roads—until they had reached such parts of the railway as might be made available for communicating with the metropolis. During the last week several lines of railway in the Midland Counties were, he believed, stopped, in consequence of the damage that was done to them. At one place in particular within about four or five miles of Leicester a viaduct was carried away, which was not likely to be restored for about a fortnight or three weeks. The greatest inconvenience had arisen, in consequence, to the people of Leicester, from the non-adoption of proper measures for the forwarding of the mails by some other route. He knew himself of letters containing intelligence of the deepest importance and interest, posted in Leicester on Friday, not reaching London until Monday morning. The day mail, which was forwarded from London on Saturday morning, did not reach Leicester until seven o'clock in the evening. Now where there was another line open, the mails might have been conveyed at almost the same degree of speed with which they were forwarded for many years past. He was informed that the great line of communication near Tamworth had been stopped by an injury which had occurred to a bridge in the neighbourhood. He wished to call public attention to the subject, and more particularly to urge that everything should be done to facilitate the conveyance of the mails. He should conclude by moving that the Postmaster General be requested to order that the day mail between London and Leicester should be conveyed by way of Peterborough, Stamford, and Melton Mowbray, until the line of railway between Leicester and Rugby (which has been stopped in consequence of the injury done to it, caused by the late heavy rains) be re-opened.

Mr. G. A. HAMILTON said, he was sure that the House would not agree in the terms of this Motion when he informed them that the fact was, the Post Office authorities had used the greatest possible exertions to expedite the conveyance of the mails. He had just received a communication which stated that the day mail from Leicester had arrived on that day without the delay of a single hour. Under such circumstances he thought that the hon. Gentleman would not think it necessary to persevere in his Motion.

Motion, by leave, *withdrawn.*

INDIAN TERRITORIES.

Mr. HERRIES moved that the Select Committee on Indian Territories do consist of thirty-one Members.

Sir HENRY WILLOUGHBY begged to suggest that the name of Sir Thomas Herbert Maddock be added to the Committee, as the hon. Member was thoroughly conversant with the subject, having resided for several years in India.

Mr. JOHN MACGREGOR said, he had intended to move the addition of two or three names to the Committee, in order that the great commercial ports might be represented; but when he saw the names of the eminent persons nominated, he thought it unnecessary to persist in that intention.

Mr. HUME said, he thought that all the new Members of the Committee should be put into possession of the whole evidence which had come before the former Committee on this subject. He wished to know whether any steps had been taken by the Government towards effecting this object?

Sir THOMAS MADDOCK said, he would also beg to suggest that natives of India capable of affording valuable information to the Select Committee should be summoned to give evidence before it. He was aware that among the educated inhabitants there was a large proportion of Hindoos who were precluded by the prejudices of caste from undertaking a sea voyage. But there were many who would not be so precluded could give evidence before the Committee; and he imagined with respect to the others that there could be no serions difficulty in obtaining the testimony of those Hindoo gentlemen of attainments and qualifications on the spot in India. That was the more important, because the evidence that had already been given, and the evidence which would in all probability be taken by the present Committee, had been and would be derived from persons who had been officially engaged in the administration of the affairs of India, whether in this country or in that. It might be very useful that the evidence of all experienced persons should be made available for laying down the plan so far as concerned the machinery of Government; but in reference to all those matters which had regard to the welfare and happiness of the people of India, on which it was really the great primary duty of the Government in this country to legislate, their legislation could not be either complete or satisfactory unless the class of natives of India to whom he had referred were furnished with an opportunity of giving evidence before the Committee.

MR. HERRIES said, with reference to the suggestion of the hon. Member for Montrose (Mr. Hume), the best mode of proceeding would be to leave the matter to the Committee themselves, who would know what was necessary for the requirements of the House; and with regard to the observations which had fallen from the hon. Member for Rochester (Sir T. Maddock), it would be the duty of the Committee to determine what witnesses they should bring before them, and what evidence bearing upon the inquiry it would be desirable to have.

Motion for nominating the Committee was then *agreed to.*

FUNERAL OF THE DUKE OF WELLINGTON.

On the Order of the Day for going into Committee of Supply,

MR. HUME said, before the Order of the Day was proceeded with, he wished to state that he had made a request on a former night, that some estimate of the expenses of the funeral of the Duke of Wellington should be laid upon the table of the House. He found, upon referring to the journals of the House, that an estimate was laid on the table by Mr. Vansittart of the expenses of the funeral of Lord Nelson, and also of that of Mr. Pitt. The House was not sitting at the time of Lord Nelson's funeral, and therefore the estimate was not laid on the table until after the occasion; but as the House was now sitting, they ought to have an estimate laid before them. Not that he was desirous to abridge or to throw any difficulty in the way of a public demonstration, but they ought to relieve and disabuse the public mind of the extravagant ideas that had been formed as to the amount of the expense. The department upon whom the trust was devolved should be prepared to lay before them an estimate in some degree approximating to the amount.

The CHANCELLOR OF THE EXCHEQUER said, he had not forgotten the intimation given some days ago by his hon. Friend the Member for Montrose, but, from the pressure of circumstances connected with this solemnity, it was quite impossible to lay an estimate before the House.

MR. HUME said, that if the public money could not be accounted for, it appeared to him there must be great blame somewhere.

The CHANCELLOR OF THE EXCHEQUER said, his hon. Friend had greatly misconstrued what he had stated, in supposing that the public money could not be accounted for. If the public money were expended in this manner, it would be accounted for to the last shilling; but, from the pressure of circumstances, it was impossible at the present moment to lay an estimate before the House.

LORD DUDLEY STUART thought the House had heard a most extraordinary statement from the Chancellor of the Exchequer, and that they had been treated in a most extraordinary way by the refusal given to the request of his hon. Friend that an estimate should be laid on the table of the House. With regard to the expenses of the funeral of the late Duke of Wellington, all persons in the country were unanimous in wishing, by every possible means, to testify their respect for the memory of that great and illustrious man; but he did not think that respect would in any degree be diminished by the constitutional course of giving to that House, who held the purse strings of the country, an estimate of the probable expense attending the solemnity of Thursday. They all recollected the letter addressed by the Prime Minister to the Home Secretary on the occasion of the death of the Duke. In that letter, which he thought most admirable, and he believed was generally so considered, the reason given for delaying the funeral from what appeared to be the natural time, shortly after the death of the illustrious hero, was, that it would be better and more constitutional to delay it until Parliament should be assembled, in order that Parliament might give its consent and approbation to the manner in which it was to be performed. He was sorry to see that the proceeding of the Government on this occasion appeared to be like some other of their modes of proceeding—not characterised by much sincerity, but to be something of a deceptive character. ["Oh, oh!"] The Prime Minister was for waiting until Parliament could be consulted, and express its opinion on the subject. But had Parliament been consulted as to the arrangement or expense of this great national solemnity? On the contrary, everything had been done by prerogative. All the orders had been given and the expense incurred, and now the House of Commons, after being thus bamboozled—["Oh, oh!"]—was left without information, and had no alternative but to wait until after the expenses were incurred. ["Oh, oh!"] It was all very well for the adherents of the Ministry to cry "Oh, oh!" but he was sure the people were with him, and having to pay the bill, they would say the Government had done wrong in not being prepared to answer the appeal so properly made by his hon. Friend.

Mr. S. CARTER said, he should be wanting in his duty to his constituents if he did not protest against the doctrine of the right hon. Gentleman the Chancellor of the Exchequer. The right hon. Gentleman had delayed the funeral solemnity for more than two months for the purpose of consulting Parliament, and yet was not now prepared to say whether the expenses would be 10,000*l.* or 100,000*l.*, or whether, as some people said, they would amount to a quarter of a million. It seemed a somewhat invidious and ungracious task to address the House on that subject. But he was bound to say he felt last night he had not done his duty to his own conscience, in not having stood up when the right hon. Gentleman the Chancellor of the Exchequer poured out, in well-turned periods, his eulogium on the Duke of Wellington, and resisted that which he (Mr. S. Carter) felt to be a national folly—for he could only term a national funeral a national folly. The right hon. Gentleman said the feelings of a great people could only find vent in a splendid pageant. If that was the only way in which they could express their feelings, it would be far better, in his opinion, not to express them at all. He thought it would have been much more to the credit of that House and of the country if the money expended on that funeral had been applied to some object of public usefulness, rather than for the pageantry, parade, and pomp of a public funeral. He thought all this wore the aspect of impiety—it was man paying almost idolatrous worship to the clay of his fellow worm. He had availed himself of his privilege as a Member of that House to witness the ceremony of the lying in state. He did so from no idle curiosity, but for the purpose of observation and reflection; but he confessed, when he looked upon all its pomp, the feeling in his mind was only one of deep disgust, to see the clay of a departed man hung round with all those emblems of heraldry, with jewellery and emblazonments, as if in mockery, and all to do honour to a being who was placed beyond the honour of this world, and could receive it no more, but who, perhaps, had received more in his lifetime than any man of this or any other age. It was nothing more than a solemn mockery. The late Duke was now beyond the power of praise or the incense they might choose to bestow, therefore the pageant was a mockery, and ought to be put down. [*Cries of* "Oh!"] Gentlemen might cry "Oh!" but they would find it impossible to oh him down. The pageant could only be justified on one of two grounds: first, upon the plea that it was a tribute to the dead; and, secondly, upon the allegation that it would be a benefit to the living. Now, he denied that it was in the power of that House to confer any honour upon the dead, and he also denied that it was likely to confer any benefit upon the living. The eulogists of the Duke of Wellington told them that his virtues were too great for imitation. They told them that he was the greatest man of a great age, and to a certain extent debarred emulation. The only thing which the pageant would do, in his opinion, would be to stimulate the military spirit of the people, and make militiamen come forward, and also foster in the minds of the poorer classes the love for expensive funerals, a folly to which they were already too prone. He must again protest against Government taking a *carte blanche* for the expense, and then coming to the people and saying the bill must be paid, as the debt had been incurred. He had not that confidence in hon. Gentlemen opposite; he had not that confidence in any Government, and although they might not spend more money than the Whigs, if in power, his want of confidence was an additional reason for this protest.

Motion *agreed to.*

SUPPLY.

House in Committee of Supply.

The CHANCELLOR OF THE EXCHEQUER moved that Mr. Wilson Patten take the Chair of the Committee.

MR. HUME seconded the Motion. He was not aware that there was any person better qualified for the office than the hon. Gentleman, whose devotion to the business of the House had been unceasing; and although he (Mr. Hume) regretted the loss from that House of his hon. Friend the late Member for Rochester (Mr. Bernal), still he did not consider that they could have a better chairman than Mr. Wilson Patten.

MR. WILSON PATTEN (having taken the Chair), read the following extract from the Queen's Speech:—

> "The advancement of the Fine Arts and of Practical Science will be readily recognised by you as worthy of the attention of a great and enlightened nation. I have directed that a comprehensive scheme shall be laid before you, having in view the promotion of these objects, towards which I invite your aid and co-operation."

The hon. Gentleman then read the following from the Address in reply:—

> "To assure Her Majesty that we readily recognise that the advancement of the Fine Arts and of Practical Science is worthy of a great and enlightened nation; and to thank Her Majesty for having given directions that a comprehensive scheme shall be laid before us, having in view the promotion of these objects, to which Her Majesty invites our aid and co-operation."

The CHANCELLOR OF THE EXCHEQUER then moved that a Supply be granted to Her Majesty.

MR. HUME would remind the Committee that they were not bound by the passage of the Royal Speech just read, to the adoption of any specific scheme for the purpose mentioned; for when the question should come before the House for discussion, it would be his duty to submit a plan for their consideration very different from that which he had understood was suggested, and which, he thought, would be the means of their availing themselves of public property for the purpose, without coming unnecessarily upon the public funds.

The CHANCELLOR OF THE EXCHEQUER said, due notice would be given for taking that paragraph of Her Majesty's Speech into consideration.

COLONEL SIBTHORP wished to express, on the part of some hon. Gentlemen connected with the militia, their discontent that some measures had not been adopted for their attendance, by a deputation, at the solemn ceremony of Thursday next.

Motion *agreed to;* Resolution to be reported To-morrow. House resumed.

MR. VILLIERS' MOTION.

The CHANCELLOR OF THE EXCHEQUER said, he did not know whether the hon. Member for Wolverhampton (Mr. Villiers) was present, but if he was not, perhaps some hon. Friend of his was who could give him an answer. He (the Chancellor of the Exchequer) had yesterday expressed an opinion that it would be convenient to the House that the terms of the Motion of which the hon. Member had given notice, should be communicated to the House at as early a period as possible. He had expected that yesterday they would have been furnished with its terms; but they had not, and now another day had elapsed and the terms of the Motion had not been placed before the House. To-morrow (Wednesday) the House would only meet for a morning sitting, when it was not usual to communicate such Motions of importance to the House. On Thursday the House would not meet at all, and unless they were furnished that night with the terms of the Motion, they could not have them before Friday, if even then they might count on possessing them. He was sure the hon. Gentleman or some of his Friends would answer this inquiry. But hon. Gentlemen must feel that a Motion of that kind ought not, as far as its expressions were concerned, to be kept from their knowledge.

MR. SPEAKER then put the question that the House do now adjourn.

SIR ROBERT H. INGLIS said, that before the House adjourned he begged to take the occasion of his hon. Friend the Member for North Lancashire (Mr. Wilson Patten) being placed in the Chair of the Committees of the House, to advert to a subject which he had on a former occasion brought before the House. The House had enjoyed the services of its Speakers for an unusully long time without a single day's interruption of the proceedings. During the last seventy years, there had been but two occasions on which the illness of the Speaker had caused an interruption to the proceedings of the House, and then two subsequent occasions on which the Speaker, on account of the death of a near relative, had been obliged to absent himself. But, with these exceptions, the attendance of the Speaker had been uninterrupted. However, they could not always rely upon the continuance of such unbroken services; and it was obvious that the absence of the Speaker from illness or any other cause, without there being any person to supply his place, might occur at a crisis of our history when it might be of vital importance to the constitution of the country that the House should be sitting. It was in the recollection of many that the suspension of the Habeas Corpus Act being deemed necessary, that measure was on one occasion passed, he believed, through all its stages on one day. If, at the period of such necessity, Mr. Speaker had been ill, there could have been no House; and a Bill essential to the welfare, and even to the safety, of the State, could not have become law. No provision had been made for the appointment of a Speaker under those circumstances, and he now submitted both to the present leader of the House, and those hon. Gentlemen on the opposite side who had lately formed the Administration, whether it were not expedient to provide for such a contingency. The details of such a provision he would not presume to specify; but he thought they might obviate the difficulty by appointing two Privy Councillors on each side of the House, who, in case of any contingency such as he had referred to, might supply, as far as it was in the power of man to supply, the loss which the House and the country would sustain by the absence of the right hon. Gentleman in the Chair. If that were a fit suggestion to make, he thought it better to make it at a time when there was little likelihood that they would be deprived of the advantages of the Speaker's presence.

The House adjourned at half-after Six o'clock.

HOUSE OF LORDS,

Wednesday, November 17, 1852.

MINUTES.] *Took the Oaths.*—Several Lords. ROYAL ASSENT.—Bills of Exchange and Notes (Metropolis).

EXTENSION OF THE SUFFRAGE.

LORD **BROUGHAM** said, that he was under the necessity of setting himself right with their Lordships respecting what he found some of them had misunderstood in his observations last night upon the extension of the suffrage. One of his noble Friends supposed that he had expressed his opinion against all extension. Most probably he had made his statement indistinctly. He had, as his noble and learned Friend the Lord Chancellor was aware, been fatigued by attending a very important meeting respecting the commercial laws, and had come to the House thence. His noble Friend, not now present, who misunderstood him (being of a different opinion) expressed his satisfaction. But he (Lord Brougham) had said the very reverse of what he was supposed to have said. He had said that he was for an extension of the suffrage by all safe and expedient means, but that his reason for it was not because it would prevent bribery and corruption. He held that it could have no such effect, because, however numerous the constituents of any place were, there would be found among them a certain number capable of taking bribes when the contest ran near, which bribery supposed it to do—a number sufficient to turn the election, and so there would be bribery. As to the ballot, he had still an opinion against it on other grounds; but on one ground, usually given in its favour—its tendency to prevent bribery—he saw no benefit whatever that could result from it. It would prevent prosecution for bribery; but it would lead to bribery in another form—namely, promises to pay on the event of the election, and thus convert each person bribed into an agent of bribery. He wished to add, respecting one of the Bills presented by him last night—the only one entirely new, that on Evidence and Procedure—that he should, before he went abroad, leave not only an abstract of it carefully prepared, but also a full note of all the cases at law referring to the matter of each clause, which would be found convenient in the examination of the various proposed alterations of the law.

FUNERAL OF THE DUKE OF WELLINGTON.

LORD **REDESDALE** brought up the Second Report of the Select Committee appointed to consider the circumstances relating to the attendance of this House and their place at the solemnity of the funeral of Field Marshal the late Duke of Wellington:—

> "That the Committee had again met, and further recommend, That the Lord Chancellor, as representing this House, do attend in his Parliament Robes.
>
> "Arrangements have been made by which the Departure of the Lords who propose to proceed to the Cathedral by Water may be deferred to a later hour than that mentioned in the First Report.

"The Committee recommend that such Lords should come to the House at Ten o'clock, as the Steamboat must leave the Esplanade at half-past Ten o'clock precisely. Arrangements have been made with the City Police to keep the Passage clear from Paul's Wharf to Paul's Chain; the Lords to enter at the Southern Door of the West Front of the Cathedral. The Steamboat will be in attendance at the Close of the Ceremony, and every Facility will be afforded to enable the Lords availing themselves of that means of Return to leave the Cathedral early.

"The Lords who desire to come to the House in their Carriages will proceed by Stanhope Street Gate, or Gates North of it, into Hyde Park, through Albert Gate and by Belgrave Square and Victoria Street, to the House of Lords. Lords on Foot will have every Facility afforded them by the Police in approaching the House on producing their Tickets.

"The Committee recommend that Seats in the back Row of the Lords Gallery be reserved for Peers eldest Sons."

Ordered to be *printed.*

Moved to resolve—

"That the Lord Chancellor, as representing this House, do attend in his Parliament Robes."

On Question, *agreed to.*

Then it was *moved* to resolve, "That Seats in the back Row of the Lords Gallery be reserved for Peers eldest Sons."

On Question, *agreed to.*

House adjourned to Friday next.

HOUSE OF COMMONS.

Wednesday, November 17, 1852.

MORTALITY ON THE COAST OF AFRICA.

MR. H. HERBERT said, that a report had appeared in a newspaper stating that all the officers on board the ship *Dover* on the African station had been carried off by disease. He wished to know whether the Admiralty had received any intelligence on the subject?

MR. STAFFORD said, he was happy to state to the House that no confirmation of the report in question had reached the Admiralty, and, indeed, the advices which had been received from the African station would lead to the belief that the rate of mortality was below the average. Admiral Bruce had sent a report to the Admiralty on the mortality prevailing on the African station from the 1st of July, 1851, to the 30th of June, 1852, from which he would take the liberty of reading the following passage:—

"Their Lordships will observe, that among the squadron on the west coast of Africa, from July, 1851, to June, 1852, the ratio of mortality from disease has been 16.2 per 1,000 of the mean force employed, an average which, judging from previous years, is below what we might have anticipated, particularly when we consider the arduous nature of the service performed on the station for the twelve months embraced in the return. I cannot help thinking that the fortunate result is, under Providence, in some measure owing to my having made it a rule to change the stations of the ships whose crews were subject to any extraordinary exposure, but more particularly is it attributable to the use of quinine wine, the skill of the medical officers, and the careful attention of the commanders to the general sanitary condition of their respective ships."

MR. VILLIERS' MOTION.

MR. WILSON said, he had been requested by his hon. Friend the Member for Wolverhampton (Mr. C. Villiers) to lay before the House the precise terms of the Motion which he intended to make on the 23rd instant. The Motion would be as follows:—

"That it is the opinion of this House that the improved condition of the Country, and particularly of the Industrious Classes, is mainly the result of recent Commercial Legislation, and especially of the Act of 1846, which established the free admission of Foreign Corn; and that that Act was a wise, just, and beneficial measure:

"That it is the opinion of this House that the maintenance and further extension of the policy of Free Trade, as opposed to that of Protection, will best enable the property and industry of the Nation to bear the burthens to which they are exposed, and will most contribute to the general prosperity, welfare, and contentment of the people:

"That this House is ready to take into its consideration any measures consistent with the principles of these Resolutions which may be laid before it by Her Majesty's Ministers."

CORONERS' INQUESTS (IRELAND).

SIR JOHN YOUNG said, he begged to address a question to the right hon. and learned Gentleman the Attorney General for Ireland. In the course of his observations on the previous evening, that right hon. and learned Gentleman had made some remarks upon the course of public justice. Now, he (Sir J. Young) believed there was a general opinion abroad and in that House that the office of Coroner in Ireland required an entire remodelling, and he wished to ask whether it was intended to put this office upon a new footing?

MR. NAPIER: Sir, with regard to the subject matter of this question, and with regard to other matters also, I may state that at the request of the Lord Lieutenant of Ireland I have had under my consideration the various matters which it is conceived offer an obstruction to criminal procedure in that country. The subject of Coroners' Inquests is an important one; and upon that question I may state that I am preparing measures which I intend to submit to his Excellency. With regard to any immediate measure in connexion with Coroners' Inquests, I think it would be more correct not to bring forward any measure until proceedings which are now pending are brought to a close. But it is my intention to submit a very definite plan for correcting the evil, and which, I trust, will be found satisfactory. I think, with others, that these Coroners' proceedings entail a large expense on the country, and at the same time obstruct the course of public justice.

FREIGHT MONEY (GREENWICH HOSPITAL).

Sir GEORGE PECHELL said, he felt himself called upon to condemn the practice of allowing officers in the Navy freight-money for bringing bullion from South America; and as a preliminary to an alteration of the present system, he would beg to move for a Return of the several sums of Freight Money received by the Treasurer of Greenwich Hospital since the 17th day of February, 1851, with the date of such payments, and whether on public or private account; also the name of the ship or vessel in which the treasure was conveyed, and of the captain or officer commanding the same.

Mr. STAFFORD said, that the proposition of the hon. and gallant Member was one that would go to diminish the emoluments of the naval service. The hon. and gallant Member's plan, he understood, was to the effect that the senior officers should be passed over, and a portion of the freight given to their juniors in the service. This, he believed, would have the effect of taking away a source of ambition from the senior officers. The present system worked, on the whole, well; and he might state that the present Government had not received a single complaint as to the freight since they came into office. He would not, however, withhold the Return which the hon. and gallant Member asked for; but he thought it would be more satisfactory that he should bring forward some substantive Motion on the subject, than merely asking for Returns which could lead to nothing.

Motion *agreed to.*

FUNERAL OF THE DUKE OF WELLINGTON.

Sir CHARLES WOOD brought up the Second Report of the Select Committee appointed to consider the circumstances relating to the attendance of the House at the solemnity of the funeral of the Duke of Wellington. The Committee reported that they had proceeded further to inquire respecting the most convenient mode by which Members could proceed to St. Paul's Cathedral, and they stated that arrangements had been made for steamboats to be in waiting at the river esplanade in front of the House at half-past ten o'clock in the morning of Thursday, to convey Members to St. Paul's Wharf; that the city authorities had undertaken that a passage should be kept clear from that place to the great western entrance of St. Paul's Cathedral, where Members could enter the cathedral by the northern door of that entrance, and proceed to the seats allotted them; that steamers would be in waiting at St. Paul's Wharf from three o'clock P.M., and that a passage would be kept clear from the cathedral to the wharf to enable Members to return. The Committee, therefore, recommended that the Members should assemble in the House at ten o'clock on Thursday morning; that they should be called over by counties in the usual way, the names of the counties being drawn by lot; that they should proceed to the steamboats, as far as possible, in the order in which such counties were drawn; and that the clerks and officers of the House, not exceeding thirty in number, should be permitted to accompany them.

Mr. WALPOLE said, that in order that a record of these proceedings might be inserted in the journals of the House, he would beg to move a Resolution to the following effect:—

> "That on the occasion of the Public Funeral of Arthur late Duke of Wellington, Mr. Speaker be deputed to attend the Procession on the part of the House; and that this House, on the same occasion, do attend in the Cathedral Church of St. Paul, where Seats have been provided for its Members."

Captain SCOBELL said, he thought there was one omission in the arrangements, inasmuch as no deputation from the Navy was appointed to attend the procession. It was true that the First Lord of the Admiralty would attend; but he would have gone whether he had been a naval man or not, and so with respect to the different Orders of the Bath; though there would be a naval man in each class, they would represent the Order of the Bath, and not the Navy. Considering that much of the military proceedings of the great man whose memory they were about to honour were conducted in conjunction with the Navy, he thought that there ought to be a distinct deputation to represent that branch of the service in the procession; and, as a hasty mode of remedying the defect, he would suggest that the Board of Admiralty, being composed entirely of naval men, should be a deputation to represent the Navy.

Mr. WALPOLE said, it was far from the intention of those who had the regulation of the proceedings to omit that most popular force from being represented on the occasion of the funeral, or to show the slightest disrespect to the Navy. The hon. and gallant Member would observe that throughout the procession it was considered necessary to have deputations representing a great many public bodies. The difficulty was to prevent the procession being inconveniently long upon a winter's day. The Navy he conceived to be fully represented in the person of the First Lord of the Admiralty. He could also inform the hon. and gallant Gentleman, that 200 tickets had been placed at the disposal of that noble Lord for the use of naval officers. He was not aware of any other mode by which Her Majesty's Navy could be represented except by adding one more carriage for the conveyance of four admirals.

Mr. MONCKTON MILNES said, he would refer to an Order issued that morning, which stated that all naval officers should appear at the funeral in their uniform. He thought it important to ascertain whether officers of both services being Members of that House were expected to appear in their respective uniforms or in their senatorial character.

Mr. HUME hoped, that the respect due to the Commons of England would be considered, and that all Members of that House would appear at the funeral in their ordinary dress—being plain black, and suitable to the solemn occasion.

Mr. STAFFORD said, there was no wish on the part of the Admiralty to require naval officers being Members of that House to attend the ceremony in uniform.

Ordered, That the Report, together with the Report made yesterday, be printed and delivered *forthwith*.

The House adjourned at Two o'clock till *Friday*.

HOUSE OF LORDS,

Friday, November 19, 1852.

Minutes.] *Sat First in Parliament.*—The Lord Lurgan, after the Death of his Father.
Took the Oaths.—Several Lords; The Lord Lovat took the Oath prescribed by the Act of 10th *Geo.* IV., to be taken by Peers professing the Roman Catholic Religion.

THE SANITARY CONFERENCE—QUARANTINE REGULATIONS.

The Earl of ST. GERMANS rose to put to his noble Friends the Secretary of State for Foreign Affairs (the Earl of Malmesbury), and the President of the Council (the Earl of Lonsdale), the questions of which he had given notice with respect to the quarantine regulations. It would be in the recollection of their Lordships that in the last Session of Parliament [3 *Hansard*, cxxi. 1267], he moved for the production of the minutes of proceedings of an International Sanitary Conference that met at Paris in the years 1851–52, and to which assembly many most eminent medical and scientific men were sent by the principal maritime and commercial States of Europe, for the purpose of considering and reporting upon the quarantine regulations now in force throughout Europe. His noble Friend the Foreign Secretary replied to him that the Government had no objection to give the information for which he had asked, but that they could not then lay upon the table the papers relating to the convention by which it was proposed to give effect to the recommendations of the Conference, because the precise terms of the convention were not yet agreed on. He (the Earl of St. Germans) at once acquiesced in the decision of the noble Earl, and left it entirely to his discretion to lay upon the table such extracts from those minutes and other papers as he could produce without detriment to the public service. At the same time, at the suggestion of the noble Earl the Chief Commissioner of the Board of Health (the Earl of Shaftesbury), the report of that body on the subject of the Sanitary Conference was also ordered to be laid on the table. That was on the 28th of May last; but up to that day, the 19th November, none of these papers had, as far as he knew, been laid on the table. He wished, therefore, to know, in the first place, what was the cause of the delay which had taken place in the production of these papers, and whether there was any prospect of their being soon laid upon the table? He next wished to know whether the convention by which it was intended to carry into effect a portion at least of the recommendations of the Conference had been ratified, and, if not, what were the obstacles which prevented such ratification? He believed that he was justified in saying that for the last sixteen years such a measure had been strongly desired by the noble Earl's predecessors in office—not only by the noble Earl's immediate predecessor (Earl Granville), but by the noble Viscount who had presided over the Foreign Office for so many years (Viscount Palmerston), and also by that noble Viscount's predecessor (the Earl of Aberdeen); and it would be a matter of great regret to the country at large if his noble Friend could not hold out to them some hope of the ratification of the Convention at an early day. An impression (which, indeed, he sincerely believed to be erroneous) prevailed abroad that persons interested personally in the retention of the quarantine system had prevailed upon Her Majesty's Government to recede from the position occupied by their predecessors; and that, instead of aiding that onward movement which would have swept away those vexatious restrictions, they had been induced to incline towards their retention. He did not himself believe this to be the case; but he thought it would be satisfactory to the public to hear an assurance to that effect from the noble Earl. His next question would be addressed to his noble Friend the President of the Council. On the 2nd of September last, a letter was addressed by order of the Privy Council to the Commissioners of Customs directing that all vessels arriving from foreign countries having persons on board "actually suffering from cholera, or who had been suffering from that disease within five days previous to the arrival of the vessel in port, should be detained under a precautionary quarantine for such period as might be deemed necessary." Now he wished to ask the noble Earl (the Earl of Lonsdale) on whose advice and authority that letter was written? It was well known that the Board of Health, the tribunal specially charged by Parliament with the administration of the laws for the prevention of disease, not only utterly disbelieved in the efficacy of the system of quarantine regulations, but believed, on the other hand, that they were productive of serious evil in a sanitary point of view. The College of Physicians, also, although in 1831 they recommended the adoption of the most stringent measures for the prevention of the spread of cholera, and even went to the extent of proposing to isolate infected districts of the country, yet, in 1848, declared their conviction that all attempts to prevent the spread of cholera by means of *cordons* or quarantine regulations had utterly failed. On what medical or scientific authority, then, did the noble Earl rely when he issued these instructions? He wished next to ask the noble Earl what was the meaning of that passage in the letter which related to "persons on board in the enjoyment of good health?" His want of apprehension of the meaning of that passage might arise from his own incapacity, but, at any rate, he found his doubts shared by a very intelligent body of men; for shortly after that letter appeared, a memorial was addressed to the Lords of the Treasury by the Manchester Chamber of Commerce, putting the very same question which he was now asking. Whether the Treasury had replied to that memorial he did not know, but certainly no reply had been published. He wished to know whether, by the "free communication with the shore," which it was stated would be allowed to persons in the enjoyment of good health, it was intended that they should be allowed to leave the vessel, or whether it was intended that they should be detained on board, and merely permitted to have intercourse with those on shore? Whatever might be the meaning of this passage, it altogether abandoned and relinquished the only principle upon which the quarantine system could be maintained; because if persons in good health having come to England with a vessel having cholera patients on board were permitted either to land or even to have free intercourse with the shore, it proclaimed to the world at once that we had no faith in the principle of contagion upon which we acted; and, therefore, this arrangement of the noble Earl was altogether inconsistent with the view which those must be supposed to entertain who enforced even a precautionary quarantine. The last question he had to ask was, whether any measures had been taken to ensure proper medical attendance being given to the persons who might be attacked with disease while they were detained in quarantine? We had not in this country, as was the case in the maritime States of Italy, lazarettos or hospitals for the reception of the persons on board ships declared in quarantine; but all ships coming to our ports must perform quarantine, with the crew and passengers on board, at certain stations or grounds. The principal of our quarantine stations was that at the Motherbank; yet we were told by the superintendent-general of quarantine that he ordered the *Eclair* to Standgate Creek, because intercourse with the shore was absolutely impossible at Motherbank in stormy weather. Standgate Creek, on the other hand, had been pronounced by Sir William Burnett, director-general of the medical department of the Navy, to be the most unhealthy spot on our shores. Then again, at the mouth of the Humber, where the northern ships performed quarantine, the quarantine station was several miles distant from Hull, and if the weather was rough, or the wind and tide were unfavourable, it often required six or seven hours to communicate with that town. If hospitals and lazarettos, well aired and ventilated, were provided, persons who were attacked had a reasonable hope and chance of recovering; but let the House consider what was the position of an unfortunate man suffering from disease, and yet cribbed and cabined between the decks of a merchant vessel riding in one of these quarantine grounds, and without the reach of the medical care or nursing that a person in such a state required. Such were the questions of which he had given notice to his two noble Friends opposite; but he also wished to put another, of which he had not and could not give notice. Their Lordships would, he was sure, have seen with deep pain and sorrow the announcement in the papers of that morning of the arrival of one of Her Majesty's mail steamers from the West Indies with the yellow fever on board, several fatal cases having occurred in the course of the voyage. The question which he now wished to ask was, whether *La Plata*—for that was the name of the steam-packet—had been relieved from quarantine; and if not, whether any accommodation had been provided, or any precautions taken, for the reception of the unfortunate men on board? Look at the case of the *Eclair*, which was long detained in quarantine, and in which disease prevailed and increased with the continuance of the quarantine, and contrast it with the case of the *Arethusa* in December last, which, having landed its crew at Plymouth attacked by smallpox, had no fresh instance of disease afterwards; while in the *Eclair*, from which no person was permitted to land, the ravages were frightful. These were the questions which he had to ask; and he would express his unfeigned hope that the answers which he was about to receive would give satisfaction to the House and to the country, and would convince both that the Government was not clinging pertinaciously to a vexatious and expensive system, which experience and science had proved to be utterly worthless.

The EARL of MALMESBURY said, that without subscribing entirely to the notion which his noble Friend seemed to entertain, that contagion was altogether impossible, he must assure him that Her Majesty's Government was not less anxious than its predecessors to bring the convention to which his noble Friend had referred to a satisfactory result. He was sorry to have to inform his noble Friend that at that moment the negotiations for the conclusion of the convention were not terminated; and, therefore, he was obliged to tell his noble Friend that he could not, with due regard to the public service, lay on the table of the House the papers respecting which he had asked. They were excessively voluminous, and he did not think that any extracts that could be given from them would give his noble Friend the satisfaction which he expected to derive from their perusal. Indeed, if he were to lay those papers on the table, he should only be delaying the progress of the convention. While he had to regret that the negotiations for the convention had not arrived at a successful result as yet, still, although they might not terminate, as he hoped at one time they would, in the general consent of the twelve Powers to one formal convention, he had a confident expectation that seven or eight of the principal maritime States would sign such a convention. It was naturally desirable that the principal Powers with ports in the Mediterranean should agree to such a measure: but at this moment some of the States of Italy, Spain, and Austria, either refused their signature to the convention, or else put forth such difficulties in the way of signing it as they had not been able to overcome; on the other hand, Portugal, Sardinia, France, England, and, he believed, he might say, Russia, did not object to sign such a convention as Her Majesty's Government had proposed. He hoped that before long it would be signed by some of the Powers of Europe, although he could hope to have it signed by all. When that event took place, he should have great satisfaction in laying on the table all the correspondence.

The EARL of LONSDALE said, that with respect to the question the noble Earl had addressed to him he should be happy to give his noble Friend all the information in his power on this subject. The circumstances connected with the letter of the 2nd of September to which his noble Friend had referred were these: It was represented to the Council by official authority that malignant cholera was raging at Dantsic and several of the principal ports in the Baltic, and the advice under which the Council acted in issuing the letter to which reference had been made, was given by one of the most skilful physicians of the present day. His noble Friend had complained of the letter of the 2nd of September as an act of severity and restriction on the part of the Privy Council; but his noble Friend was under some misapprehension in this respect, for if he would take the trouble of referring to the Act of the 6th *Geo.* IV., he would find that the Board of Customs had the power to send to any quarantine station any vessel arriving from a foreign port with any infected person on board. The late Quarantine Act allowed the Privy Council to give in each case such orders to the Board of Customs as the case might require; and the letter of the 2nd of September mitigated several provisions of the existing law. His noble Friend said that he could not understand that letter. He was surprised at such an assertion, for to him it appeared that its meaning was clear enough. The letter mitigated the Act of George IV. very considerably, as it ordered those only who were actually attacked by cholera to be detained on board. He would not enter into any discussion with his noble Friend on the subject of contagion and non-contagion, for he knew that eminent physicians had not only differed from one another, but, at different periods, even from themselves, on these points. [The noble Earl here read, in a low voice, several conflicting extracts from the reports of the College of Physicians and of the Army Medical Board on the subject of contagion; and, in reply to a question of the Earl of St. Germans, said, that there were some physicians who denied contagion, but he believed that not merely three-fourths but nine-tenths of the profession advised all who consulted them to avoid contagion.] With regard to the news respecting *La Plata*, that vessel had only arrived that day, and the intelligence had only reached him that morning through the telegraph. He had immediately consulted with the physician attached to the Board of Privy Council, Sir W. Pym, and had given orders that the parties should be relieved from quarantine. The physician had gone down himself, and would communicate such orders as were necessary to the quarantine station.

The EARL of ST. GERMANS: Has any accommodation been provided for the parties on shore?

The EARL of LONSDALE had already stated that he had sent down orders that the parties should be relieved. He also repeated his statement that he had sent down the physician of the Board to the quarantine station to give the proper directions.

LORD STANLEY of ALDERLEY was understood to remark upon the inconsistency of our sending a representative at the Sanitary Conference at Paris, to impress upon the other deputies that cholera was not conveyed by contagion, while we were renewing our quarantine restrictions in our own ports. The members of the Conference were of opinion, that cholera could not be conveyed by contagion, and a report had been made by a congress of American physicians, and had been recently published by the Board of Health in this country, in which it was stated to be their unanimous opinion that no quarantine regulations were of any avail in preventing the entrance of the cholera, if the atmospheric and other causes necessary for its production were present. It was not likely that we could make satisfactory progress with the Convention, if, while our representative at Paris was urging these views on the one hand, on the other the President of the Council was enforcing more stringent quarantine regulations with respect to cholera.

The EARL of LONSDALE said, that the regulations issued by the Privy Council were not more stringent, but were in fact a relaxation of the powers with which the Council were invested by the Act of George IV.

LORD STANLEY of ALDERLEY remarked, that it seemed very extraordinary that our representative at Paris, instructed by the Foreign Secretary, should there maintain views on this subject quite different from those entertained by the President of the Council.

The EARL of MALMESBURY also protested against the idea that the representatives of the British Government had been instructed to abolish all regulations of quarantine; they had only been instructed to mitigate and regulate them, and to render the burden of them less intolerable; and that was their object in attending the Sanitary Conference at Paris. If his noble Friend fancied that he could persuade the representatives of foreign countries to believe that cholera and other diseases were not contagious, he believed that his noble Friend, on trying it, would find that he was very much mistaken; nor would any convention ever be concluded if we were to wait until we had brought them to that conviction. Whether diseases of this kind were infectious or contagious, he did not know; but foreign countries were convinced of this—that they were catching.

LORD STANLEY of ALDERLEY said, he did not suppose that the different nations of Europe could be induced to forego all quarantine regulations; but the greatest number of medical opinions were certainly against the contagious character of cholera.

LORD WHARNCLIFFE was understood to say, that nothing could be more preposterous than to subject a vessel to quarantine for yellow fever in our latitude, and in the month of November. The yellow fever depended on the thermometer. It was never known to exist when the thermometer was below a certain point. It was well known in tropical climates it ceased its ravages with colder weather. In New Orleans it was well understood that the first frost put an end to the yellow fever. When we were pressing upon other Governments the propriety of relaxing their quarantine laws, it placed us in an awkward position to be found enforcing our restrictions with respect to a disease so unlikely to spread as the yellow fever.

RAILWAY LEGISLATION.

LORD REDESDALE wished to ask his noble Friend the Vice-President of the Board of Trade (Lord Colchester), whether there was any intention on the part of Her Majesty's Government to bring in any Bill for the regulation of railways. He believed that there was an almost universal opinion amongst persons in this country, with the exception of those personally interested in railways, that some further regulations should be adopted, and some further control exercised in regard to matters connected with these concerns. The accidents which had lately occurred, and which had certainly been more than usually numerous, had drawn the attention of the public to this matter; and he believed that the safety as well as the convenience of the public really required some attention on the part of the Government, and the adoption of some regulations which might enable them to interfere a little in these matters. He knew that there was some little difficulty in moving in this matter; because, whenever any attempt was made by the Government to interfere with them, it was urged that to interfere with the railway companies would diminish their responsibility. But he was convinced that there were many points in the management of railways on which the interference of the Government would be most useful. His reason for drawing the attention of the House to this subject, arose partly from the responsibility which the House had cast upon him in the office in which they had placed him as their Chairman of Committees. It was supposed that that functionary should exercise an almost complete control over the regulations to be enforced with regard to Private Bills. Now, unquestionably from the manner in which the House had always supported the Chairman of Committees, he had considerable power; but still no Chairman of Committees, and certainly not he, for one, could presume to lay down on matters of this kind a code of legislation which he would feel justified in imposing on all railways whatever. This could only be done by Parliament itself acting legislatively at the instance of the Government. To him it appeared that all the railway companies stood in a position which rendered such a course of legislation justifiable—because for the last thirteen years a clause had been inserted in every Railway Act subjecting the companies to the operation of any general Act which might be introduced with respect to railways. No railway company, therefore, would have any right to complain, whatever the interference of the Government might be. He thought that advantage should be taken of the present Session for the introduction of a measure of the kind to which he had referred; for if it was allowed to pass without this being done, their power of obtaining a control over railway companies would be materially diminished. It was also most important that such a measure should be introduced on account of the character of many of the Bills likely to be introduced—Bills to effect important amalgamations. Now, it was impossible for any person to look to a great extension of amalgamations without some apprehensions as to the consequences that might arise from them to the public interests. To a certain extent he entertained no objection to the amalgamation of companies, but he thought that proposals for that end should be taken up only with the greatest caution. Measures should be taken to protect the public against the consequences which might naturally be expected to follow from some of these amalgamations, if they should be carried out, for they would certainly partake in a considerable degree of the nature of monopolies. It was only, therefore, in proceeding by a general measure, assuming the necessary powers of control, that they could expect to give the public confidence in the administration of railway business. He had to the last opposed the abolition of the Railway Commissions; and he hoped to see them re-established with more extended powers, and properly supported by the Government of the day, which they never had been before. There were many points as to which he thought it highly expedient that some power of control should be taken. For instance, there should be some authority able to regulate the proceedings of the railway companies in putting on and in taking off trains from different lines, for at present the conduct of the railway companies in regulating such matters was in many cases opposed to the convenience of the public. You found that when there were two railway companies conflicting with each other, you came by one to a point from which you must travel by another, and that the train by which you wished to proceed on your journey had started just ten minutes before your arrival by the train of the other company, and that you must wait three or four hours until you could start by another train. It could not be productive of any mischief to vest power in a general Board to correct such abuses on receiving a representation from the inhabitants of a district, or from another railway company; and it would be just to enforce such arrangements, for the lines were given to the companies by Parliament on the faith of their giving that accommodation to the public. There was another point on which he thought it necessary that Government should interfere with the management of the railway companies. There should be some stringent regulation to exact from them punctuality in their times of departure and arrival. Almost every accident on the railways arose from want of punctuality. A reform in railway management, by which punctuality should be enforced, would be more beneficial to individuals, and would even affect a greater number of persons, than the reform recently introduced by his noble and learned Friend on the woolsack into the Court of Chancery. In a new Parliament, like the present, it would be difficult to obtain that attention in the other House to the many Railway Bills which would come before them in the course of the present Session which their importance required, on account of the number of election petitions, which would necessarily occupy the time of many of those who were best qualified to act as Chairmen of Committees; and the consideration of these matters must consequently not only be more hurried than usual, but also in many cases be left to the decision of new and less experienced Members. It was on that account that he had drawn the attention of the Government to the subject thus early. If the Government were not prepared to introduce a general measure for the better regulation of railways, he trusted that, at least, they would frame beforehand some clauses, directed to the purposes he had specified, and to other matters of importance to the safety and convenience of the public, to be inserted in all Railway Bills in the present Session; but he believed they would find that proceeding by a general Act would be the least trouble to them, and more effective.

Lord COLCHESTER was ready to acknowledge that this was a matter which the noble Lord had done well in bringing before Parliament, for it was one of great importance to the public safety and the public convenience. He was afraid the answer he had to give to the questions put might not be quite satisfactory to his noble Friend. The attention of the department to which he had the honour to belong was constantly devoted to this subject, but no new measure was at present in preparation. With respect to the number of new Railway Bills that might be expected to be introduced in the present Session, their information was at present necessarily very imperfect. They had only the official notices inserted in the *Gazette* by which to judge of the probable number, and the entire number would not be known until the 30th of November, the last day for depositing the notices, and even then it must be remembered that many intended undertakings probably would not be carried out, and perhaps the Bills not even introduced into Parliament. At present the number of Bills for which notices had been given was forty-two, fifteen of which were for the incorporation of new companies, thirteen for the construction of new works, eight for continuations, five for amalgamations, and one for extension of powers. The whole subject, in the opinion of Government, was of such difficulty and importance, as only to be adequately dealt with by a Select Committee, and, therefore, Government had come to the determination of moving the appointment of a Select Committee to consider it. At present he was not able to give a more decided answer to the questions, than that the subject was engaging the earnest attention of Government.

LORD BEAUMONT observed, that in his opinion, the necessity of an Act respecting the management of railways did not depend upon the number of Bills which in the course of the present Session would be introduced into the Legislature. What they wanted was this, a code of laws—a general code of laws—respecting the management of railways, which should apply equally to all railways, both those that might obtain Bills in future, and those that had already obtained them, and had consequently now no occasion to come before the Legislature. A Bill might be framed so as to prevent the vexatious proceedings which now so often take place between conflicting railway interests, and which always result in inconvenience to the passengers, and loss to one or other of the parties. What they wanted was such a general Bill as would lay down a rule to enable persons who had grounds of complaint to right themselves. Of course such a Bill could alone properly emanate from Government; and he (Lord Beaumont) thought, therefore, he might ask his noble Friend if, in the Office of the Board of Trade, this question had been considered, whether in consequence of the numerous accidents which had recently occurred on railways, and the enormous loss incurred by the necessity of applying to Parliament for amalgamations and other desirable objects by separate and special Bills, the Government intended to introduce any measure of a general nature which would put an end to this state of things, by an enactment in the nature of the Lands Clauses Consolidation Act, which would be of general application?

The EARL of DERBY thought, however desirable theoretically it might be that there should be one code of regulations which should guide and govern all railway companies, past, present, and to come, and that Parliament should, by an *ex post facto* regulation, lay down rules for the guidance of a railway company, thus interfering with its internal management, not only would it be impossible for Government to carry any measure through Parliament, but, if it were possible, it would be an extraordinary interference with the internal regulations of railway companies, which were most of them much better judges of what was conducive to their own and the public interest, and much more capable of attending to it than any Government Board could be. He could not, therefore, hold out to the noble Lord who had just sat down any expectation that it was the intention of Government to introduce any measures of railway regulations which might tend, according to the sanguine views which the noble Lord took, to render impossible the occurrence of inconveniences and accidents to the public, or which would amount to any serious interference with the powers and privileges conferred by Parliament on the existing companies. He would not, however, hesitate to say that, as experience showed from day to day the necessity of legislation for particular purposes, and as opportunities arose for dealing with particular questions, he thought it exceedingly desirable, and indeed necessary, that they should avail themselves of the fresh references to Parliament that would become requisite on the part of the companies, for the purpose of introducing such modifications of the existing system as experience had shown to be necessary or desirable for the public interest. One question raised by his noble Friend in which Parliament might probably interfere with advantage, was in the connection of different trains with different railways communicating with each other. In such cases there might usefully be given some power of arbitration or arrangement under a Government Board to prevent the inconvenience now inflicted upon the public, for the purpose of making them travel the greatest length possible upon the respective lines of the different companies. But any measure of that kind would require much care, because it might involve an interference with the details of management; and their Lordships must recollect that in every case where Parliament insisted on particular times being observed, Parliament must become responsible also for the inconvenience and danger which might be introduced by running corresponding trains on other lines, and which, if great attention were not paid, might be of a very serious description. There was another subject to which he wished to call the attention of the House, and with respect to which he considered that a great mistake had been made by neglecting it at an early period of the existence of the railway system—he meant the making provision for the conveyance both of mails and troops by the different companies. He believed that at present Government was absolutely and entirely in the power of a railway company as to the terms—not on which the mails would be conveyed, indeed—but on which other conditions most essential to the public service, in the conveyance of troops and similar objects, would be performed. Therefore, when railway companies came to Parliament for new and amended Bills to extend the powers they already possessed, he thought the opportunity should be taken of introducing such fresh regulations for the furtherance of the public service by facilitating the conveyance either of mails or troops, as might be found expedient. His noble Friend the Postmaster General (the Earl of Hardwicke) had very carefully considered this subject, and prepared clauses which would be submitted to Parliament for its approval, and which, if adopted, would provide greatly increased facilities for the transmission of mails and troops by railway companies. He differed, however, from the noble Lord as to the extent to which Parliament ought to legislate for the regulation of existing railways.

The MARQUESS of CLANRICARDE said, he had heard with great satisfaction the remarks of the noble Earl; because he was fully aware of the great inconvenience to which the Post Office and other departments were put by the present system. The sum paid by the public for the conveyance of mails was now of an enormous amount, and exceeded, when he left office, 400,000*l.* a year. He was sorry the noble Earl had not held out greater hopes that the subject would be considered by Government. He did not approve of *ex post facto* legislation. It would be very unfair to resort to any measures of that kind, except when railway companies came to ask for some boon. He thought, however, there would be no hardship whatever in taking measures by which redress would be afforded in case of the breach of public engagements. It was very desirable that consideration should be given to the subject, with the view of remedying the present imperfect states of railway legislation.

The EARL of HARROWBY denied that in any contract the Government were at the mercy of the railway companies. It ought to be remembered that the public required from the latter a vast amount of duty. Look at the vast bulk of newspapers and books which the railways conveyed, and for which the means of transit were never required under the old system. This should be remembered when noble Lords were told of the large amount of payment to railways by the Post Office. All experience showed that railway amalgamation, under wise and proper regulations, was the best system. Parliament might order trains to be run at particular hours, but they could never regulate the action of hostile parties. Companies with rival interests always began with extravagant competition, and then combination eventually followed, to cover the expense of all the losses caused by competition. It would have been much better if Parliament had carried out properly the scheme of Lord Dalhousie. If they had not left the construction of lines to the mad speculation of private parties, they would have had a much more economical and efficient service. The best remedy was, to keep in view the original views of Lord Dalhousie, and to assign somewhat of a monopoly to each railway company over their respective districts, under proper regulations for the protection of the public. Monopolies on railways were, and must be. Let Parliament avow that they were, and deal with them as such, and all would be easy. But if they treated railways as undertakings to which the ordinary law of supply and demand was applicable, causes of complaint against railway management would always exist.

EARL GRANVILLE doubted whether so many towns would be now connected by railway, or whether so many trains would be run, if the Government had originally assumed greater responsibility, or had been intrusted with the management of railway matters. He thought it desirable that a Parliamentary Committee should be appointed. In many instances the railway companies would be grateful to have some of the questions between them settled by the superior authority of Parliament.

LORD BATEMAN said, that a passenger in Yorkshire ought to have the power of booking himself through to London without being compelled to change his carriage when he came upon the line of any other company. On some matters of this kind legislative interference would be desirable.

The DUKE of MONTROSE thought cooperation between railway companies hardly to be expected, unless a controlling power were vested in Government. To show the necessity of an improved system, they had only to look to the frequency of accidents at present. He remembered on one occasion travelling to Scotland by express train. An accident occurred; but as no lives were lost, he supposed for that reason the circumstance was not noticed in the newspapers. The cause was, that trains of several different railways passed along one line; and while such a state of things existed, it was fraught with the greatest danger. He understood that an inspector from the Board of Trade went down to examine the line, and that he recommended the erection of a bridge; but the recommendation was disregarded by the railway, and the Board had no power to enforce it.

LORD COLCHESTER, alluding to the case referred to by the noble Duke, said that it was but just to the engineer of the railway, Mr. Stephenson, to state that when the matter was represented to him, he undertook to make a bridge sufficiently wide to prevent accidents.

FUNERAL OF THE LATE DUKE OF WELLINGTON.

The EARL of DERBY: My Lords, I will, by moving the adjournment of the House, put myself strictly in order in addressing a few observations to your Lordships on a subject to which I am anxious to call your Lordships' attention. My Lords, I desire to express the deep satisfaction and the deep thankfulness which I have experienced, and which I am sure your Lordships will have experienced, at the more than satisfactory result which attended the great solemnity of yesterday. My Lords, I think it is matter of humble thankfulness to Almighty God that an event which brought together such masses of persons as never before have congregated, under any circumstances whatever, in this great metropolis, should have passed over, not only without any signal calamity, but without being attended by any—or rather attended by so few — of those casualties which are contingent upon every great congregation of persons, even upon a much smaller scale, but which in this case were rendered more probable by the necessarily hasty and hurried manner in which many of the preparations were made for the accommodation of that great multitude. My Lords, I think that I may even say that the providential change in the weather in the course of yesterday was no light circumstance, not only in adding to the comfort of the vast multitude assembled to witness that solemnity, but also in diminishing, to a great extent, the amount of risk, of confusion, and of danger which all ceremonials of this kind must necessarily more or less involve. But it would be most unjust if I were to withhold—and if I did so your Lordships, I am sure, would consider that I was committing an injustice—if I were to withhold the tribute of my applause and satisfaction at the perfect organisation, the admirable arrangements, the entire discipline with which the whole of that great ceremony was marshalled and conducted, and at the discretion and the judgment which were manifested by all those civil and military authorities who took a part in carrying out this national testimonial. My Lords, nothing could have been more admirable than the temper and the patience with which both the troops and the police conducted themselves — the troops under arms, and the police on duty, for a period of at least eleven or twelve hours, and engaged during the whole of that time in unremitting exertions in preserving order. But, my Lords, we must not omit to do justice also to another class, without whose signal co-operation and admirable conduct the best arrangements might have been marred—I do not say that the efforts of the military and the police would have been unavailing—but which doubtless rendered that task, arduous as it must have been under any circumstances, a matter of comparative ease and safety. My Lords, I allude to that upon which we may look with pride and gratification—I mean the admirable temper, patience, forbearance, and good conduct which was manifested by the whole of these incredible masses. When we consider how large a proportion of the population of these United Kingdoms was for that single day crowded together in the streets of this metropolis; when you remember, as those at least remember to whose lot it fell to take part in the procession, and who saw it throughout its whole length and breadth—when you remember that on a line of route three miles in length, extending from Grosvenor-place to St. Paul's Cathedral, there was not a single unoccupied foot of ground, and that you passed through a living sea of faces, all turned to look upon that great spectacle—when you saw every house, every window, every housetop loaded with persons anxious to pay their last tribute of respect to the memory of England's greatest son—when you saw those persons (those, at least, within the streets) remaining with entire and unflinching patience for many hours in a position in which movement was hardly possible, and yet that scarce a single accident occurred to the most feeble woman or child amid that vast mass—when, throughout the whole of that length, not only was a perfect decorum preserved, and a ready assistance given to the efforts of the police and the military, but there was exhibited no unseemly desire merely to witness that magnificent spectacle, no light and thoughtless applause at the splendour of that spectacle; when you saw how the people of England, in the awful silence of those vast crowds, testified in the most emphatic manner the sense in which every man among them felt the public loss which England had sustained—I know not, my Lords, how you may have looked upon this manifestation of public feeling and good sense and order, but I know this, that as I passed along those lines it was with pride and satisfaction I felt that I was a fellow-countryman of those who knew so well how to regulate and control themselves; and I could not help entertaining a hope that those foreign visitors who have done us and themselves the honour of assisting at this great ceremonial might, upon this occasion, as upon the 1st of May, 1851, bear witness in their own countries how safely and to what extent a people may be relied upon, on whom the strongest hold of their Government is their own reverence and respect for the free institutions of their country, and the principles of popular self-government controlled and modified by constitutional monarchy. My Lords, when we had passed over the long line of the procession, and had entered into that magnificent edifice, I think that few who were present can, to the latest moment of their lives, forget the scene which they witnessed there. Who will forget the effect when, throughout the length and breadth of that vast cathedral, the pealing anthem swelled the note not of praise, but of sorrow? Who will forget the effect when, in ready acquiescence to the request publicly communicated, within that immense edifice 16,000 voices joined simultaneously in the responses to the common prayer of every Christian man? And, my Lords, when the close of that impressive solemnity approached—when, amidst solemn and mournful music, slowly, and inch by inch, the coffin which held the illustrious dead descended into its last and honoured resting-place, my Lords, I was near enough to see the countenances of many of the veteran companions of his labours and of his triumphs—near enough to hear the labouring breath which scarcely checked the tears which would not have disgraced the cheek of England's hardiest warriors, as they looked down for the last time upon all that was mortal of their late mighty leader. Honour, my Lords, to the people who so know how to reverence their illustrious dead! Honour to those friendly nations who, renewing their old companionship in his triumphs and his glory, joined in the general tribute of respect to him whose renown was not English, nor European, but world-wide, and who associated their own countries for the last time with the name and the glories of Wellington! And, my Lords, honour—let me say it also—to that great and friendly nation, our relations with whom in times long gone by, and I trust never to return, incapacitated her from participating in the national triumph with which we celebrated his military fame, but who yet, my Lords, in joining in the public mourning over the departed hero, forgot for a time their old national prejudices, and by the presence of their representative testified their respect and their veneration for his memory! If they thought of him as a foe at all, it was as one who had been so in the discharge of his duty to his country—it was as a foeman worthy of their steel; and they remembered, perhaps, with pardonable pride, that never were his military talents and abilities more highly tested, and more severely tried, than when opposed in the field to the valour of their troops, and the science and the skill of their commanders. My Lords, we have paid the last tribute to our illustrious hero's mortal remains; we have consigned him to the grave; but in so consigning him, I trust we shall not forget, in the burial of our greatest warrior, that we have buried perhaps the man among us who had the greatest horror of the miseries of war:—that every effort, every energy of his mind, in the field, in the camp, and in the senate, was directed not to the mere attainment of victory, of fame, or of glory, but that the hope to which he always looked forward was, that the victories for which he struggled would be the means of securing to his country and to the world the blessings of lasting peace. My Lords, I trust that in burying him we have not taken leave of and buried the recollection of the principles which he supported and advocated. I am sure that I am speaking in the spirit of him whose loss we all deplore when I say (and I feel confident your Lordships agree with me), that I look upon war in itself as the greatest curse with which a country can be afflicted, and upon unnecessary war as the greatest crime of which a statesman can be guilty. I am sure, my Lords, that the great and paramount object of this country is the maintenance of a firm and honourable peace; but I am no less convinced of the necessity of that principle which it was his constant duty to inculcate upon successive Governments—namely, that in order to maintain the security and permanence of peace, every nation must have within itself those means of self-defence and self-dependence which should not provoke aggression by its weakness, more especially if to that weakness be added the possession of unbounded wealth. My Lords, I trust that we shall bear this in mind, not in words only, but in our actions and policy, and that setting aside all political and party considerations, we shall concur in this opinion—that, in order to be peaceful, England must be powerful; but that she ought to be powerful, only to be more securely peaceful.

House adjourned to Monday next.

HOUSE OF COMMONS,

Friday, November 19, 1852.

THE TURKISH LOAN.

Mr. LAYARD begged to ask the noble Lord the Under Secretary for Foreign Affairs the question of which he had given notice. The public was aware, though not through any official source, that a loan effected by the representative of the Turkish Government at Paris was either rejected altogether, or not ratified, and that repayment of the money advanced, with a certain amount of interest, was offered. He did not desire by anything he said to encourage British subjects in speculating in foreign loans. But he wished to ask the noble Lord if he had any objection to state to the House the information that had been received by the Government as to the repayment of the loan, or whether there was any objection to lay the papers before the House?

Lord STANLEY said, the subject to which the hon. Gentleman alluded had attracted much attention, but he thought the House would agree with him that it would not be expedient to lay upon the table papers relating to it at a period when it could hardly be said that the proceedings had terminated. He had no objection, however, to state in a few words a general outline of the case. It was well known that the Turkish Minister charged with the negotiation of the loan in question had departed widely from the instructions he had received, and contracted in the name of his Government a loan which no judicious adviser of the Porte could have recommended the Porte to ratify. The consequence was, that, after a trifling delay, the Porte refused to ratify the loan, and at the same time immediately announced its intention to repay the portion of the loan already received, together with interest thereon. Further than that, he could only state that from all the information the Government possessed, it appeared that the Turkish Government were acting in a most fair and honourable manner; and they entertained a confident expectation that the affair would be speedily and satisfactorily dealt with.

THE MARITIME LAWS.

Mr. J. L. RICARDO: I beg, Sir, to ask the right hon. Gentleman the President of the Board of Trade, whether any despatches have been transmitted to that Department from the Foreign Office containing information or statistics bearing on the working of the Maritime Laws of the United Kingdom, and if, so, whether he will have any objection to lay them on the table of the House; also, whether any inquiries have been made by the Board of Trade of the British Consuls through the Foreign Office?

Mr. HENLEY: I think, Sir, I had better answer the last question of the hon. Gentleman first. There was a letter addressed from the Foreign Office to the several Consuls, directing them to make returns in the form suggested. Returns from some of those Consuls have been received. There have not been many received in reference to 1850; those received have reference principally to 1851, therefore they do not contain much information that would enable us to make a comparison with respect to what the trade has been at different periods. The hon. Gentleman applies, I suppose, to the indirect trade that has grown up since the repeal of the Navigation Laws, and the returns do not afford much information on the subject. In a portion of the despatches some of the Consuls give an opinion one way, and some another; but they do not contain any facts of importance so far as the returns at present go. If the hon. Member wishes to see them, there is no objection to put them on the table of the House; but perhaps he would be good enough to look over them first, and see if they are worth printing.

AMALGAMATION OF RAILWAYS.

Mr. LABOUCHERE: I wish to ask a question in reference to those Bills for the amalgamation of Railways, several of which, of great importance, are expected to come before the House at no distant period. The question I wish to ask the right hon. Gentleman is, whether he has given this subject his consideration, and whether he will be prepared at the proper time to recommend to the House the course best calculated to enable the House to consider the subject with a view to protect the interests of the public and the parties concerned?

Mr. HENLEY: The question that has been addressed to me by the right hon. Gentleman can hardly be overrated in importance. I have not had an opportunity, nor has the Department with which I have the honour to be connected, had an opportunity, of knowing anything of those Amalgamation Bills except through the means that are open to the public at large—the *Gazette* notices. It is from that source alone that I have derived any information. It is quite clear from the notices that many large schemes of amalgamation are contemplated. I have given as much attention to the subject as I have been able, and I think it will be the duty of this House, as far as I can see at present, to appoint a Committee to inquire into the whole subject in a very large and wide manner, and to adopt such measures, either by Standing Orders or otherwise, as will best enable them to meet the urgency of the case. I think, for the sake of the public as well as for the sake of the parties themselves, some means should be adopted to take care that those great steps should not be taken unadvisedly.

THE DIPLOMATIC SERVICE.

Mr. EWART: I beg, Sir, to inquire of the noble Lord the Under Secretary for Foreign Affairs, if any steps have been taken for the examination or other test of fitness of candidates for the Diplomatic service of the country; whether there will be any objection to lay a statement of the examination or qualification required before the House; and also whether any qualification will be required from candidates for the Consular service?

Lord STANLEY: The hon. Member for Dumfries, in June last, put to me a question similar to that he now puts, and I then did hope that I should by this time have been able to give to that or a similar inquiry a more satisfactory answer than I am afraid I shall now be able to give. This subject of education for the diplomatic service has engaged the attention of Government for some time past, and a plan has been prepared, which I trust, with some modification, will be adopted, but which is not yet in a state to lay before the House. In drawing out the plan, it was found necessary, or at least desirable, that some other changes should at the same time be made in reference to the junior members of the Diplomatic service, and as those changes involve some increase of expenditure (though not, perhaps, a large increase), it was determined not to include them in the arrangements of the present year. I can assure the hon. Member that the Government have not lost sight of the subject—that it is even now engaging their attention, and that they hope to be shortly able to lay before the House and the country such a plan as I have referred to. With regard to the second part of the hon. Gentleman's question, as to whether it is intended to apply any test of qualification to candidates for the Consular service, I beg to say it is not the intention of the Government to apply any such test. To do so would involve an entire change in the system under which Consuls are now appointed. The majority of those persons who entered the Consular service, entered it late in life, or at any rate at an age when it would be difficult to subject them to such a general examination as might be highly proper for young men who had just left school. Many of the British Consuls have been officers in the two services; some have been Members of this House, others are persons engaged in trade: and in none of these cases, but especially the last, would such an examination as the hon. Gentleman proposes be possible. A practical knowledge of commercial affairs, and an acquaintance (which ought always to be required) with the language of the country in which he exercises his office, are sufficient qualifications for a Consul.

NATIONAL SYSTEM OF EDUCATION (IRELAND).

MR. BERNAL OSBORNE: I beg, Sir, to ask the noble Lord the Secretary for Ireland whether it be the intention of Her Majesty's Government to propose any alteration in the system of national education at present established in Ireland?

LORD NAAS: I was certainly not aware, Sir, that any intimation had been given by any Member of Her Majesty's Government, that it was their intention to propose any alteration in the system of national education in Ireland, and I am bound to say that it is not the intention of the Government to propose any such alteration. I have further to state that they would view with considerable regret any alteration in that system that would interfere with its efficiency, and deprive the people of Ireland of the benefits of education, which are now so largely extended amongst them. If it shall seem to any hon. Gentleman on either side of the House, either that the object for which that system was originally established has not been fully carried out, or that by an addition to, or the amendment of, any of the existing rules, conscientious scruples might be avoided, and extended spheres of usefulness given to the system, it would be the duty of Government not only to acquiesce but to assist in such an inquiry to the utmost of their power, and to give any proposal that was made of that nature all the care and consideration which the difficulty and delicacy of the subject demand.

CONVOCATION.

SIR JOHN SHELLEY: I wish, Sir, to put a question to the right hon. Gentleman the Secretary of State for the Home Department, with reference to an observation which fell from him on a former occasion as to the sitting of Convocation not being continued with the sanction of the Government. The question I have to ask is, whether, as we perceive the Convocation is postponed to February next, the sitting is then to be resumed, or whether it is adjourned in the usual way?

MR. WALPOLE: I am much obliged to the hon. Gentleman for asking the question, because I think a misunderstanding has prevailed with reference to the onduct of the Government as regards the Convocation, and the mode of proroguing it. Now I may, perhaps, be allowed to say that the usual course observed with reference to the Convocation is to leave it, not to the Crown, but, according to law, to the Archbishop of Canterbury, either with or without the consent of his brethren (for that is a question that is not yet determined) to prorogue Convocation when the Address is presented. That course the Government has not interfered with, nor could the Government be required to interfere at all unless the licence of the Crown was required, permitting them to meet to make canons or ordinances, or continue their sittings for such a purpose as that. What I said the other night was, that the Archbishop of Canterbury had never made any application with reference to this subject, either to me or the other Members of the Government, and, as far as I am aware, that statement is perfectly correct. Until to-day I never saw the Archbishop of Canterbury on the subject. I stated, also, what is perfectly true, that, as far as I am concerned, I was determined never, on the part of the Government, to allow any deviation from the usual course relative to the sittings or powers of Convocation. The Government has strictly and steadily adhered to that determination. I have taken no part whatever in the matter, nor was I likely to be called upon to do so unless the Convocation required the licence of the Crown, or unless I had reason to believe that a different course of conduct was about to be pursued from that which was pursued on previous occasions. The only deviation that has taken place on the present occasion is this—that the Address has been debated upon three days instead of upon one, and that a Committee has been appointed. The Government had nothing to do with the appointment of that Committee. The Government could not interfere. [Sir JAMES GRAHAM intimated dissent.] My right hon. Friend shakes his head. But I think I am right. If I am wrong, it is from some misconception of the power of the Government which the novelty of the subject may have thrown some doubt upon. To the best of my belief, however, the Government has no power to interfere at all until it comes to a question of prorogation. That question could not arise before the Address was answered, and the Address, as yet, has not been presented. Great interest has been manifested on this subject; and, therefore, perhaps I may be permitted to add, that after much thought I have formed a deli berate opinion upon it, and I can assure the House that, so long as I have the honour to hold the office I now hold, nothing will induce me to advise the Crown to grant a licence to Convocation to make canons. I have never made that declaration before, because I have never been called upon to make it; but I make it now, that there may be no misunderstandings, for I entertain that opinion in the strongest manner, firmly believing that nothing would be so detrimental to the Church of England, or so likely to create divisions in that Church, as to revive Convocation for such a purpose.

THE GOVERNMENT AMENDMENT ON MR. VILLIERS' MOTION.

The CHANCELLOR of the EXCHEQUER: I beg to give notice, Sir, that on Tuesday, the twenty-third, on the Motion of the hon. Member for Wolverhampton, I will move a Resolution by way of Amendment, expressed in this language:—

> "That this House acknowledges with satisfaction that the cheapness of provisions, occasioned by recent Legislation, has mainly contributed to improve the condition and increase the comforts of the working classes; and that unrestricted competition having been adopted, after due deliberation, as the principle of our Commercial System, this House is of opinion that it is the duty of the Government unreservedly to adhere to that policy in those measures of Financial and Administrative Reform which, under the circumstances of the Country, they may deem it their duty to introduce."

CAPE OF GOOD HOPE—KAFIR WAR.

Lord JOHN RUSSELL: Sir, the right hon. Gentleman the Secretary of State for the Colonies stated, at the commencement of the Session, that no recent information had been received from the Cape of Good Hope; but that he expected to receive information of a favourable nature, and gave us hopes of a termination of hostilities. I perceive that more information has since been received, and no doubt despatches have been received by the Colonial Secretary. I therefore venture to ask the right hon. Gentleman what is the nature of those despatches, and how far they support the hopes he held out to the House? I perceive, likewise, by the intelligence from the Cape, that some dissatisfaction has been caused by the non-arrival of the Constitution; and if it be convenient to the right hon. Gentleman, it would be desirable if he could now make an explanation regarding it.

Sir JOHN PAKINGTON: Sir, in answer to the first part of the question of the noble Lord, I am very happy to be able to say that the recent intelligence from the Cape has very much, if not entirely, confirmed the favourable view I held out at the commencement of the Session, and to which the noble Lord has just referred. Perhaps I cannot better put the House in possession of the extent to which the information is really favourable than by reading a few words from the despatch of General Cathcart conveying the intelligence:—

> "I might now almost report that the war is at an end; but, although characterised as a war, it has been, in fact, a rebellion. A war may be terminated by the surrender or capitulation of the hostile sovereign or chief, who answers for his people, but in the suppression of a rebellion the refractory subjects of the ruling Power must all be chastised and subdued. This has nearly been accomplished, and military occupation must keep them in subjection; but as it is difficult to define the origin or nature of this war, if it be considered as a war, so it is difficult to define the time when peace may be considered to be restored."

In confirmation of that report of General Cathcart I may mention that Macomo, one of the principal chiefs, has been expelled from the Waterklooff, and though he has not yet surrendered, he has been driven to the Amatola mountains, with Colonel Eyre in pursuit of him. The Hottentot leader Uithalder, is, I believe, still in the Amatolas, where his followers are reduced to a very few in number, and that he is in a difficult position, though the latest accounts do not refer to him in any particular manner. I hope this intelligence will be satisfactory to the House, and that the House will see that I was not too sanguine in my recent anticipations. I shall proceed now to answer the second part of the noble Lord's question respecting the dissatisfaction which he says is felt at the Cape in consequence of the non-arrival of the Constitution. I feel that this question is one of interest both in this House and in the Colony, and I hope the House will indulge me if, in answering the question, I enter into some explanation as to the conduct which the Government has pursued, and their reasons for that conduct. Up to this time Her Majesty's Government have not thought it to be their duty to confirm the Constitution; but I beg to add when I say that, that I feel extreme regret that they felt themselves obliged to take that course. I think the conduct of the Government in the last Session, with regard to New Zealand and Australia, proves that we have no indisposition to trust our colonists with the power of self-government to which Englishmen are accustomed, and to which they have a right to look. On the contrary, they are most anxious to see the principle extended; and with regard to the Cape of Good Hope, I most distinctly admit that the faith of the Imperial Government has been so strongly pledged to grant free representative institutions to that Colony, that the question of granting those institutions must be only regarded as one of time. The House, however, at the same time must admit that, considering the particular position of the Cape Colony at this time, and the great changes that have taken place in the state of that Colony since the free Constitution was proposed and decided upon, it is a case in which it is the duty of the Government to exercise great caution and deliberation. We might, no doubt, have caught a passing cheer from this House by coming down last July and stating that the Constitution, from the state of that Colony, should be at once conceded; but, irrespective of other considerations to which I must hereafter briefly advert, we found that in the Constitution which came over from the Cape last July, the important question of the franchise was surrounded with new and unexpected difficulties. The House is aware that the Constitution ordinance was sent out by Earl Grey, and that the Council at the Cape was called upon to decide on that Ordinance. The House is also aware that when the Council at the Cape took that Ordinance into consideration last February, an Amendment was moved and carried very much raising the proposed franchise. Of this the House is aware; but the House is not aware that subsequent to the passing of that Ordinance of the Council, it was discovered, from the opinion of the Attorney General of the Cape of Good Hope, that the franchise sent out by Earl Grey in the Constitution ordinance, instead of being, as it was supposed to be, a very liberal, comprehensive, and widely-extended franchise, restricted in fact the elective franchise more than the Amendment that was carried. When the question of the Constitution was discussed by the Council at the Cape, it was proposed that every person occupying property of the value of *25l.* for twelve months should have the franchise. A secession from the Council took place, and the four seceding Members drew up a plan of Constitution. In their plan of a Constitution it was laid down again that there should be a property franchise of *25l.*; and in illustration of the light in which the franchise was viewed at the Cape, they stated that it was intended to extend the franchise to every coloured man at the Cape that was neither a vagrant, a pauper, nor a criminal. It was intended for a very extensive franchise—it was regarded universally at the Cape as a very extended franchise, and that the object of it was to embrace the coloured population; but the franchise sent out by Earl Grey, instead of being a property qualification of *25l.*, required the occupation of buildings of the value of *25l.* Last February the Council discussed the question on the understanding that it was an extended franchise; and it was only after the Amendment was proposed and carried, that on the construction of the Attorney General at the Cape, it appeared that it was not so liberal a franchise as was supposed. The Attorney General was called on to put his opinion in writing, and he did put the opinion in writing, that it was a very limited, instead of a very extended, franchise. The House will perceive that the Government thus found themselves placed in an unexpected difficulty; they had three questions regarding the franchise before them—the original franchise, the amended franchise as altered by the Council, and the Attorney General's construction of Earl Grey's franchise, differing from the others. Looking to the extent of the population at the Cape, and the peculiar state of the Colony, I very naturally inquired for some statistical information under these circumstances. I naturally inquired what would be the effect of the franchise on the population, and I found there was no statistical information in existence. I found no person could tell me how many persons would be admitted to the franchise under the various denominations, and with regard even to the population the greatest difference of opinion existed. I wrote, therefore, to Lieutenant-Governor Darling for information, and from him I have received an answer, dated the 9th of October last. He says—

> "Your observations with respect to the *25l.* franchise are undoubtedly just. I believe that the limitation which the Attorney General, when called upon for his written opinion by me, assigned to that franchise, is not generally received, or by any means known, in the colony. But it is the view which, if words have any meaning at all, must have been attached to it by all who have paid any attention to the language of the clause. So inaccurate is our statistical information, so various the

tendency of that which I obtain from individuals, that I cannot as yet come to any satisfactory conclusion as to which franchise would, upon the whole, admit the greatest number of the labouring population."

This state of things involves us in considerable difficulty. We have further to consider the character of the population at the Cape, and here, again, we have no statistical knowledge; but I observe, from an approximation to it, that if the population were divided into six parts, it would be found that one-sixth were British, two-sixths Dutch, and three-sixths, or one-half of the whole, coloured people. Since it was determined to grant this Constitution, a considerable number of those coloured people were in arms against the Crown. Under these circumstances we must exercise the greatest caution in deciding the important preliminary step of the settlement of the franchise. We must either alter the Ordinance so as to bring it back to the original property qualification, or confirm Earl Grey's plan, which would be, in fact, a delusion on the Colony, or adopt the Amendment. We, therefore, experience considerable difficulty in establishing free institutions in a Colony where there are various races and a large body of people. I think the House will admit that this ground alone affords sufficient reason for hesitation on the part of the Government; bnt, in addition to this, I must beg the House will recollect that, by the occurrence of late affairs at the Cape, most important questions have arisen, and wait for discussion, with regard to the future government of that Colony. We shall have to decide whether the Orange territory shall be retained; we shall have also to decide as to the eastern boundary of the Cape, as to the whole state of the Government, and as to whether the Colony shall be divided into two Governments. On this subject I thought it to be my duty to communicate with the Governor of the Colony, and I have only received an answer by the late mail. The House will recollect that every one of those questions bears closely on the question as to the shape in which the Constitution should be granted. I have further to remind the House that the Governor of the Colony is engaged in prosecuting the war; and I have the authority of the noble Lord himself in 1851, when referring to Sir Harry Smith, that while the Governor is employed in performing his duties as a general, it is impossible for him, as Governor, to assist in bringing the Constitution into operation. For these reasons, and as the Governor has not sent the report which Earl Grey called for, we thought it our duty to pause for further information; but I beg distinctly to say that we are prepared to grant a free Constitution to the Cape Colony as soon as we think it can be done with a due regard to the interests of the Colony and our duty to the Crown.

Lord JOHN RUSSELL: After the statement just made by the right hon. Baronet, I feel it necessary to ask some further questions. The first question I have to ask is, whether that opinion which he has stated with regard to Earl Grey's proposed Ordnance has been given only by the Attorney General of the Cape, or whether that opinion has been confirmed by the law officers of the Crown in this country; secondly, whether there was not reserved in the Ordinance sent out to the Cape a power to alter the original Ordinance, or the Ordinance that came from the Cape after the Constitution had been received here; and, lastly, whether, in the present state of affairs, the right hon. Gentleman has any objection to lay the papers relating to the Constitution before the House?

Sir JOHN PAKINGTON: Sir, my answer to the first question of the noble Lord is, that I have not taken the formal opinion of the law officers of the Crown, but I have submitted the question to the highest law authority in the country, who states he has no reasonable doubt that that is the proper construction of the clause. In reply to the second question, the Ordinance does, I admit, contain that power; but I think the explanation I have given must show the noble Lord that until we have more statistical information, and are better prepared for the whole policy we should adopt, it would not be well to exercise that power. In answer to the third question, I have no objection to lay the papers on the table.

THE DERBY ELECTION.

Sir ALEXANDER COCKBURN was about to rise to bring under the consideration of the House the petition of the Electors of the Borough of Derby, when

Mr. SPEAKER: I think it right to direct the attention of the House to what I consider an informality in this petition, and if the House shall be of the same opinion, it will not be competent for the hon. and learned Member for Southampton to proceed with his Motion. I wish, in the first place, to call its attention to a clause in the 11th and 12th Victoria, which declares what shall be deemed an Election Petition. This clause enacts that every petition presented to the House of Commons within the time from time to time allowed by the House for receiving Election Petitions, complaining of an undue election and return of any Member of Parliament, or that no return had been made, and which petition shall be signed by some person who had voted, or had a right to vote, at the election to which it related, shall be deemed an Election Petition. Now, this petition begins by stating—

> "That your petitioners are electors of the Borough of Derby, and voted at the last election of Members to serve in this present Parliament for the said Borough."

It contains another allegation, namely—

> "That the return of the said Thomas Berry Horsfall was procured by illegal and corrupt means, and by an organised system of bribery, which was resorted to, and successfully carried out, for the purpose of procuring, and which did procure, the said return."

And the prayer of the petition is as follows:—

> "Your petitioners therefore humbly pray your Honourable House to institute a full and searching inquiry into the allegations of this petition, and into the proceedings of the said Right Hon. William Beresford, with reference to the last election for the Borough of Derby."

Now the question is, whether this allegation—

> "That the return of the said Thomas Berry Horsfall was procured by illegal and corrupt means, and by an organised system of bribery, which was resorted to and successfully carried out for the purpose of procuring, and which did procure, the said return,"

should not be considered as an allegation complaining of an undue return for the Borough of Derby, in which case the petition would be an Election Petition, as defined by the Statute.

SIR ALEXANDER COCKBURN: Understanding, Sir, that you entertain a strong opinion upon the point of formality, which you have stated to the House, I should not be inclined to struggle against that opinion; but it strikes me that inasmuch as the prayer of the petition is not to make void the return, and inasmuch as the bribery that is alleged is not stated to have been committed by the sitting Member, or by any person for whose acts the sitting Member would be responsible, this petition, it strikes me, does not come within the clause of the Act. At the same time, I think it will be a great pity to take up the time of the House in discussing a question of that kind; and if, Sir, you entertain that view, I will withdraw my Motion—for I have not the slightest wish to press it forward against your opinion—and will leave the petitioners, if they think proper, to present another petition.

SIR JOHN YARDE BULLER said, he begged to state, on behalf of his right hon. Friend the Secretary at War, that he (Sir J. Y. Buller) was quite prepared on his part to go into the case now, unless Mr. Speaker ruled that the Motion of the hon. and learned Gentleman (Sir A. Cockburn) could not be entertained by the House.

MR. SPEAKER: If the House allows the debate to proceed on this petition, it will really have received a petition which it ought not to have received at all, because the Act states that no election petitions can be received by the House unless they are endorsed by the officer of election recognizances, who must state that the recognizances had been properly entered. Now, if this petition comes within the definition given in the Act of an election petition, then it ought to have been endorsed by the officer of election recognizances; and as it has not been so endorsed, I do not think it ought to have been received; and I am of opinion that the House cannot proceed with the debate.

SIR ALEXANDER COCKBURN: This, then, being your view, Sir, as I said before, I will not struggle against it, but will withdraw my Motion. But I do think these petitioners are bound to give the right hon. Gentleman the Secretary at War an opportunity of clearing himself of the charges that have been brought against him; and, therefore, I hope the parties who presented this petition—having failed from the informality which you have pointed out—will not hesitate to come before the House again with the least possible delay.

The CHANCELLOR OF THE EXCHEQUER: It is unnecessary for me, after what the hon. and learned Gentleman has said, to add a word. I merely rise to say, I think it would be inexpedient to act contrary to the regulations of the House on such an important subject. But I think there will be no difficulty in devising some means by which a full and speedy inquiry shall be given to it, and I think that must be the wish of every Gentleman on both sides of the House.

Order that the Petition do lie upon the

table, read, and *discharged:*—Petition *withdrawn.*

LAW PROCEDURE (IRELAND).

MR. WHITESIDE moved for leave to bring in a Bill to amend the procedure in the Superior Courts of Common Law in Ireland. The Preamble of the Bill recited—

> "That it was expedient to simplify and amend the course of procedure as to the process, practice, pleadings, and evidence in the Superior Courts of Common Law in Ireland, so as to make the same less dilatory and expensive, and to prevent substantial justice from being defeated by reason of the variety of forms of action, the technicalities and prolixity of pleadings, and the unnecessary length of records; and to consolidate the provisions of several statutes and rules of Court relating to such proceedings, and also to enable the Superior Courts of Common Law to give effect to certain legal rights and just defences, so far as might be, without the expense and delay of a resort to a Court of Equity."

The necessity for a reform like that proposed by the Bill he now had to ask permission of the House to bring in, was obvious and pressing. The Legislature, in its wisdom, had created County Courts throughout England and Ireland, and made the procedure in those Courts short and inexpensive. Now, in his humble judgment, the reform of the Courts of Law had begun at the wrong end; but as the County Courts were established, and had distributed justice to the satisfaction of the public, our duty was to preserve, and if necessary to improve, them for the purposes to which they were designed. The great fact was, that at present there were two classes of tribunals in Ireland—one administering cheap justice, with a jurisdiction extending to 40*l.*; and the other set of tribunals, of superior structure and excellent design, administering justice in cases involving the amount of 41*l.*, at comparatively a dear rate, and in comparatively a cumbrous method. It appeared to him that these two systems, acting on opposite principles and practice, could not exist; and nothing remained to be done but to reform the Superior Courts of Common Law on a comprehensive plan, and in accordance with the wants of the public and the spirit of the age. The House was aware that in the County Courts the question at issue between the parties was brought to a hearing by a short and simple plaint. But the case was far different with respect to the proceedings in the Superior Courts of Common Law. There we had the writ, which gives the defendant no information; and the appearance, which gives as little to the plaintiff; then the plaintiff's declaration, which must be adapted to a particular form of action, told the defendant nothing; and, next, the plea of the general issue by the defendant told the plaintiff nothing; and other proceedings followed, which left the parties as little acquainted with the case as if there had been no pleadings at all. Sometimes there was what was termed in law a replication; then there might be a rejoinder, and afterwards in succession a surrejoinder, rebutter, and surrebutter. At any part of the series of proceedings a demurrer might be put in, which would have the effect, as classically expressed, of hanging up the suit for twelve months. But, supposing the issue of fact to be joined by the parties, the whole of the proceedings must then be transcribed on a formidable roll of parchment, which was called the record, although all the pleadings were recorded already; and this record was stamped, tied up, and despatched to the Judges' Registrar before the trial. The Registrar never looked at it, the Judge followed the same course, and the counsel on either side never read it; the ends of justice being satisfied by a short and simple abstract of the proceedings, which was prepared by the junior counsel, and handed to the Judge for his information. If the counsel adverted to it, he did so only for the purpose of tripping up his adversary on some formal and technical point. One question, then, to be decided was, what was the use of continuing this costly and utterly abortive proceeding? Lord Brougham, in his speech on Law Reform, delivered in that House, and which led to so many important and valuable results, truly said—

> "I regret to say that the last century and a half has witnessed great and prejudicial alterations in the original plan of pleading, so that the record, in the great majority of cases, instead of exhibiting a plain view of what each party is prepared to prove, contains an endless multitude of words, from which, if the real matter in dispute can be gathered at all, it is only by guesswork, or by circumstances out of the record, relating to things of which he gives not even a hint."

He then added—

> "Of the circumstances peculiar to the transaction, the pleadings tell the defendant nothing, they tell the counsel nothing, they tell the Judge nothing. It may be said that the defendant must know the cause of action himself; but that does not always follow, especially if the allegations are groundless. There is, however, one person who must know the cause of action, and that is the plaintiff. He ought, for the satisfaction of all concerned, to state it distinctly."

It sometimes happened even that this expensive record was framed and drawn up on a wrong issue, and the Judges could then do nothing but direct a re-pleader. In addition to this, there was, moreover, a large class of minor evils—uncertainty in pleading and other matters—all leading to great expense, and consequently to a denial of justice; and it must be remembered, that the plaintiff is compelled to select at his peril a particular form of action, and to describe it by the right name. His purpose on the present occasion was, if possible, to reform these abuses. He objected to the present system, because the steps in the cause were too many, and he thought they ought to be made fewer, and the proceeding rendered cheaper. He objected, next, to the falseness of pleas—injurious alike to morality and justice—to a lengthy record of matters already recorded, to the triumph of form over substance, of technicality over truth. He objected also to a suitor being driven like a shuttlecock from a Court of Law to a Court of Equity, and being sent to Chancery to be enabled to go to Common Law. He objected to the anomaly that some debts were assignable at Law, others only in Equity, and insisted that a remedy should be applied to these abuses, and that to be satisfactory, the remedy should be searching, cheap, and comprehensive. He had now sketched the evils which existed, and his objections to them. What were the remedies? He first wished the House to consider the principle of this Bill, and then to see what difficulty there would be in carrying it out. Its leading principle was to assimilate the procedure of the Superior Courts of Common Law in Ireland to that of the County Courts, so that justice might be done simply and cheaply; and, if that end were attained, it would recommend the venerable tribunals of the country to the confidence of the people. Now, there was an ample supply of materials for a measure of practical Law Reform. 1st, There was the procedure of the County Courts of England; 2nd, the procedure of the County Courts of Ireland; 3rd, the Act for the Regulation of Civil Procedure in Scotland; 4th, the Report of the Commissioners on the Common Law Procedure of England; 5th, the Act for the Amendment of the law in England passed last Session; and, 6th, he was not afraid to add, the American Code and the Report of the Commissioners of the State of New York. The first head of any great measure of reform was to abolish all distinctions as to the form of action. At present there were eight or nine different forms of action. For instance, Breach of Duty might be converted into Breach of Covenant, and Breach of Covenant into Breach of Duty. The value of retaining these forms would be discovered by the recollection of the great case of the squib. A party at a fair fired off a squib—it fell on some gingerbread. Another party near at hand took it up, and threw it at a third; it struck him in the eye, and he lost his sight. He brought his action of trespass against the party who fired off the squib. The jury gave him a verdict for damages; but a question arose on the form of the action. A reasonable person would have supposed that the substantial question was whether the plaintiff had lost his eye by the act of the defendant. But, no, said the lawyers, that is immaterial; the real question is, whether it should be called an action of trespass *vi et armis*, or an action of trespass on the case, and it was contended that it must be an action on the case, because the squib had first touched the gingerbread. Sir William Blackstone exhausted his learning in proving that the unfortunate man who had lost his eye was entitled to receive nothing, because his action was brought in an improper form. The learned Commentator failed in his attempt; but his argument ought to have mitigated his eulogium upon pleading. That was an English case. He would now give an Irish one of the same nature. A priest was travelling outside a stage-coach; a race took place between that and a rival coach, and the horses ran away. The priest was alarmed — he threw himself off the coach, and broke his leg. He brought his action for the injury; but the pleader unluckily called it by a wrong name —he called it trespass. It was argued that it was an act of necessity—that the priest threw himself off to save his life. On the other side it was said he had not been struck—that the act was his own; and, because he would not remain on the coach and lose his life, to settle the point of law, his action was held to be wrong; and he not only lost his leg, but his damages also. These cases might be multiplied, and showed the mischievous effects of retaining technical distinctions in forms of action. The Commissioners for the Improvement of Common Law Procedure had recommended their abolition, and a clause to that effect had been introduced into the

Bill for England. The House of Lords, however, struck out that clause; and although, when the Bill came to this House, the hon. and learned Attorney General had done all he could to improve it, yet that portion of it had been lost to the public. Possibly their Lordships preserved the forms of action, because the English Bill preserved the system of special pleading with which those forms were interwoven. To meet this difficulty he proposed to abolish both. The next step of reform, therefore, after abolishing the distinction in forms of action, was to abolish what was technically called special pleading. He wished to have distinctly stated the ground of action on the one hand, and on the other the ground of defence; so that each might be intelligible to every man—stated in the language of the people—who ought to understand the language of the law. For that purpose forms of plaint were given in this draft of a Bill; but a literal adherence to them was of no consequence, provided the substantial ground of action were stated. This was the principle acted upon in the County Courts of Ireland every day. The great end of all special pleading was to eliminate an issue—to ascertain the true question to be tried in the fewest words; and this valuable principle was carefully preserved by the proposed measure. The Bill further provided, that the plaintiff should supply an abstract of the issue to be tried. If his adversary disputed the form or substance of the issue proposed, he might take the opinion of a junior Judge of the Court, at the risk of costs, if his objection was frivolous, and the question stated in the abstract was to be taken as the question to be tried. A simple question was now buried under a mass of papers which might be stated in a very small compass. They had an instance of this in the books of 2,000 folios of pleading, irritating the Judges so that they asked counsel in Court to settle the issue. They did so on a quarter of a sheet of paper; and he believed that almost every question to be tried might be as concisely stated. What was the use of a record except as stuffing for the attorneys to make their brief? Again, he objected to the number of steps in a suit, and he proposed that process should not only call upon the party to appear in Court on a certain day, but should also tell him why he was so called upon, and should state concisely the cause of action. The declaration as a separate step was useless. So, on the other hand, he proposed that the appearance and the defence should be combined in one. The next important question was whether or not the pleadings should be verified, and how? This Bill contained a new principle, and that was that the plaintiff should verify his plaint by a short affidavit to the effect that he believed what he had stated was true; and that the defendant should in like manner verify his pleading in defence. At the present day there was no check or limit to false pleading. Suppose an action were brought for payment of a bond. The pleas set up might be that the bond was not given—that was lie the first; that the bond was paid on the day required—that was lie the second; that the bond was paid after the day—that was lie the third; that a release was given—and that was lie the fourth. All that was the flourish of the pleader; but he proposed that the pleading now should be tested by the oath of the defendant. It was nothing but a revival of the ancient system of pleading in this country, which was bottomed on truth (formerly if a man denied his deed falsely, he was fined and imprisoned); and it had been recommended and adopted in the Code of Civil Procedure in New York. Upon that subject the Code contained the following admirable passage:—

> "Ought these solemn allegations of the parties, which are called pleadings, and which set forth the cause of action and defence, to be verified or not? The solution of this question depends upon two others—first, whether a party should be allowed to aver what he does not believe; and, second, whether there be any better test of his belief than his own affidavit. Both questions admit of easy answers. There are several reasons why a party should not be permitted to aver in a court of justice what he does not believe. First, the courts are, or should be, schools of morals. It becomes them to set virtuous examples. Of all the institutions of society, Courts of justice should be the most sacred to truth. Whenever, therefore, they sanction, connive at, or open the door to untruths, they falsify their own professions, and become the corrupters rather than the teachers of mankind. Second, men should be protected, as far as possible, against false charges. It is signally unjust that any person should vex another with a claim founded upon statements which he does not believe. . . . What sort of protection does it afford if it allows these rights to be assailed by every adventurer, even though he furnishes not only no security against his misconduct, and no proofs of his charge, but no test of his sincerity—not so much even as his affidavit of belief in it? Third, lawsuits are a disadvantage to society at large. They require a large array of public officers. They require the attendance of citizens, either as jurors or as witnesses, to the detriment of their own affairs. It seems, consequently, most fit that a check, at least as great

as this, should be interposed to the prosecution of frivolous or factious lawsuits. Fourth, if the party be not confined in his pleadings to what he believes, no adequate reform in pleading can ever be effected. . . . If, then, it be clear that no party should be allowed to aver in a court of justice what he does not believe, the remaining inquiry is, whether there be any better test of one's belief than his affidavit? Here there seems no room for question. The oath is the universal test applied to the consciences of witnesses. If it be good for the witnesses, it is equally good for the litigants."

He would now explain why it was that this Bill contained 274 clauses. The Bill brought in for England by the hon. and learned Attorney General, who had bestowed on it all the care and anxiety possible, had been considered defective in some respects by certain Societies in the metropolis for the amendment of the law. In order that the present measure might obviate one of those objections, it was a measure of codification and condensation. All the Acts which had been passed for the amendment of the law as to pleading, practice, and evidence in Ireland, had been condensed and concentrated into this Bill; and if Parliament should accept the new procedure contained in it, the new procedure was made to apply to all those useful statutes which previously existed. Another reform proposed was, to abolish the necessity of personal service of process. By the County Courts Act of Ireland, service was not required to be personal on a debtor; it would be sufficient if process were served upon any member of his family, as pointed out in the Act, and a similar rule prevailed in the Court of Chancery. Why, then, should they insist on a different rule in serving process of a Court of Common Law? By this Bill the system of substituted service was adopted without the expense of applying to the Court to allow it. He now approached a subject of some importance—the equitable jurisdiction of Courts of Common Law. He was quite aware of the distinction that existed between the Courts of Equity and the Courts of Common Law; that the former dealt with complicated questions, arising between many parties, while in the latter the simplicity and directness of the ancient Common Law were applied to determine a precise question arising between the plaintiff and defendant upon the pleadings. But while he admitted that it was impossible to unite Law and Equity with the present systems of procedure, yet, on the other hand, he thought it was perfectly possible to remove many obstructions that now prevented the free action of the Superior Courts of Common Law, and the necessity of applying to the Court of Chancery for the purpose, so that one tribunal might do complete justice between the parties. First, then, he proposed that choses in action should be assignable at law. He proposed to make every form of debt assignable at Common Law as they were in Equity. Assignments, he proposed, should be registered in an Office. He was not without an authority, and a strange authority, upon this subject—that of Oliver Cromwell. In 1654 a Commission was appointed by the then House of Commons to consider the best mode of reforming our laws; and on that Commission sat Mr. Oliver Cromwell and Mr. Mathew Hale. He trusted that what had been recommended by such great authorities would not be considered as a rash innovation. He next proposed to deal with cases of lost bonds and lost bills of exchange or other instruments. At present a person losing a bill of exchange had to go to a Court of Chancery to settle an indemnity. He proposed to give to Courts of Common Law all the powers of Courts of Equity in deciding on the sufficiency of any indemnity for a lost bond or bill of exchange, or other instrument of a like nature. The Court of Chancery now must also be applied to by a person who had a contract for the possession of premises but not a legal title. In the County Courts of Ireland the existence of such an agreement for a lease would prevent the landlord from ejecting the tenant, and the Judges in the Superior Courts would on appeal confirm such a decision. He now proposed to give the Judges in the first instance the power they at present possessed after the decision of the inferior Courts, and to make a contract of that nature a good defence to an action of ejectment in a superior Court, thus saving the party from the necessity of a Chancery suit. Another part of the Bill applied to the removal of obstructions from the trial and ascertainment of a legal right in reference to a legal matter. A party now desired to dispute the will of his ancestor, who had disinherited him, and wanted to try its validity. If it affected real estate, it must be tried according to Common Law by a Judge and Jury; but when the party began to try the validity of the will, he was threatened with "temporary bars," and he could not go on with his action without going into the Court of Chancery for their removal. It was now proposed that the Courts of Common Law should exercise a jurisdiction without the aid of Equity in these cases. Lastly, there was one other subject which he submitted might be made the subject of a legal defence in a Court of Law. There were cases in which a person sued, had, according to the strict letter of the Common Law, no defence, but had equity, conscience, reason, and justice with him; and when he went to a Court of Equity, it would grant a perpetual injunction against his adversary, so that he could never move against him in a Court of Common law. To give Common Law Courts a right to decide nice questions of complicated equity, would be impossible; but in such a case, why should a party when he was persecuted wrongfully, be also vexed by a suit in a Court of Equity? If a party could set forth facts which would entitle him to a perpetual injunction in Chancery, it was proposed that such defence should be available at Common Law. These were the principal reforms adverted to by this Bill. They were large and comprehensive, and, in addition to their value in that respect, he thought it would be found, when the table of fees and costs were added, that, in ordinary cases, the costs would be reduced nearly one-half, and certainly one-third, so that failure in a lawsuit would not entail ruin upon the plaintiff or defendant. These propositions, he ventured to hope, would not meet with much opposition, or at least would only be opposed in a friendly spirit—as they were calculated, he firmly believed, to give satisfaction to all classes of the people. He could not conclude without returning his thanks to the Lord Chancellor of Ireland, who had clearly and decidedly expressed his approbation of these measures of reform. The Bill had also received, in reference to the verification of pleadings and other important provisions, the sanction of the Lord Chief Justice of the Queen's Bench in Ireland, and of his right hon. and learned Friend the Attorney General for that country. The object of the measure was to make justice easier, cheaper, and more accessible; and, presenting it in that character, he respectfully solicited for it a favourable reception on the part of the House. It was offered as an instalment of the series of legal reforms which the Government intended to submit, and as such he trusted it would be graciously accepted.

Motion made, and Question proposed—"That Leave be given to bring in a Bill to amend the procedure in the Superior Courts of Comman Law in Ireland."

Mr. HUME said, that he, for one, heartily thanked the hon. and learned Gentleman for the measure he had thus introduced; and which, he concluded, would have the cordial support of the Government. The reform of the law, on either side of the Channel, was essential, not merely for the removal of delay and uncertainty, but, practically, as an important relief from taxation.

Leave given.

Bill *ordered* to be brought in by Mr. Solicitor General for Ireland, and Mr. Attorney General.

CALL OF THE HOUSE—MR. VILLIERS' MOTION.

Mr. HUME said, he had no desire to detain the House long with his Motion for a call of the House on Monday; but as there were many Members who had never been present on occasions when a call of the House had been enforced, he wished briefly to state the nature of his proposal, and why he considered it expedient. It was the theory of the Constitution, that the Members should be always in attendance when the House was sitting, and it was in conformity with this doctrine that, when a Member died, a Motion was immediately made for a writ to empower the election of a new Member to take his place. His proposal, he was aware, might occasion some trouble to those Members who were not in the habit of attending the House, or who desired, just now, to be in the country; but the duties of Parliament should be attended to by those who accepted its honours. It might be that, as a general rule, the actual business of the House was better done when but comparatively few Members were present; but there were, from time to time, great occasions on which solemn questions vitally affecting the whole Nation were at issue, and upon such occasions it was of vast importance that the entire body of the Representatives of the Nation should be present to record their judgment. Such an occasion was this, on which he now proposed that the House should be called upon to give its complete attendance. Never, in fact, throughout his long Parliamentary experience, had an occasion more essentially requiring the solemn attendance of the universal body of the representation of the people occurred, being, as this was, an occasion on which the Government of the country, unable to form any opinion on the particular subject in question — ["Oh, oh!"]—or, if they had formed an opinion, being ready, in deference to the House, to do this or that—ready, as he understood his right hon. Friend's Resolution, announced that evening—if the House would do so and so, to do so and so too—[The CHANCELLOR of the EXCHEQUER: No!] Well, at all events, in Her Majesty's Speech from the Throne there was this paragraph:—

> "It gives Me Pleasure to be enabled, by the Blessing of Providence, to congratulate you on the generally improved Condition of the Country, and especially of the Industrious Classes. If you should be of opinion that recent Legislation, in contributing, with other Causes, to this happy Result, has at the same Time inflicted unavoidable Injury on certain important Interests, I recommend you dispassionately to consider how far it may be practicable equitably to mitigate that Injury, and to enable the Industry of the Country to meet successfully that unrestricted Competition to which Parliament, in its Wisdom, has decided that it should be subjected."

The solemn judgment of the House being thus required on this most vital subject, he considered that the judgment of the whole House should be delivered, and therefore it was that he proposed a call of the House should take place. It would not do to go on shilly-shally, one day this way, another day that; they must come to a clear, solemn, and general decision on the matter once for all. Hon. Gentlemen who desired to have a full knowledge of the occasions on which the House had directed such calls to be made, would find an accurate account of them in a work which had been laid on the table of the House, by Mr. Speaker, and which ought to be printed at the expense of the House, and placed in the hands of every Member—he referred to Mr. May's talented work on the constitution, powers, and privileges of Parliament. There was, some fifty years ago, a sort of manual of the Rules and Orders of the House, and such a work ought now to be placed in the hands of each Member, with the more recently elected, among whom it was no easy matter to understand the usages and regulations of the House. However, in Mr. May's book would be found all the information requisite on the subject of calls of the House. Upon reference to that work, he found that there had been, in the course of the last thirty-two years, since 1820, forty-three calls of the House, the intervals between the order and the call itself having varied from one day to six weeks and one day; the last call of the House had been in 1840 on the subject of the Corn Laws. In March, 1822, for example, the present noble Member for the city of London moved for a call of the House on the subject of Parliamentary Reform, and in that case the interval between the order and the call was six weeks; on the 5th of May, 1829, Sir Robert, then Mr. Peel moved a call of the House on the subject of Roman Catholic disabilities; on the 18th of May, 1832, he himself moved for a call of the House on the subject of Reform and of Ministerial arrangements, and in that case the interval between the order and the call was three days. In 1833, on Lord Althorp's Bill for the Suppression of Disturbances in Ireland; in 1834, on the Motion of Mr. Spring Rice, now Lord Monteagle, on the subject of Mr. O'Connell's Motion for a Repeal of the Union. In 1835 a call took place, on the Motion of Lord John Russell, on the Irish Church, at thirteen days' notice; on the 19th of April, 1836, upon the Motion of Mr. Daniel Whittle Harvey, on the State of the Nation; in 1838, upon the subject of Canada; in 1838 again, after twelve days' notice, upon the Motion of Sir William Molesworth, on Colonial administration; in 1839, after three days' notice, upon the Corn Laws; and in 1839 again, after ten days' notice, upon the Motion of Lord Stanley on National Education in Ireland. He admitted the importance of the topics which were discussed on all those occasions; but he would not admit that they were of superior importance to the question which was about to be submitted—a question in which the fate of Free Trade was involved. He had obtained these precedents with the assistance of Mr. Erskine May and the librarians of the House; and he wished to assure new Members that, if they were desirous of obtaining any information upon such subjects, they would always find the utmost courtesy and attention from the librarians. Upon all these occasions the principle laid down had been that the House should be fully attended by Members. In the present instance the constituencies of many places had great doubts as to the principles on which their Members had been returned—whether as Free-traders or Protectionists. He thought it, therefore, of importance for the final settlement of this question that the greatest possible number of Members should be present. He begged to move, in the usual form, the Motion of which he had given notice.

Mr. EWART seconded the Motion.

Motion made, and Question put—

"That the House be called over on Monday next the 22nd instant:—That such Members as shall not then attend be sent for in custody of the Serjeant at Arms."

Mr. ROBERT PALMER did not know whether it was the intention of any hon. Member to oppose this Motion. So far as he was personally concerned, it was a matter of perfect indifference to him whether the House was called over or not, because he was not generally absent from his post on such important questions as that to be discussed on Tuesday next. But, as the hon. Member had stated that the object of a call of the House was that every Member should be present, he would beg to ask the hon. Member what power he had to insure the attendance of Members except at the call of the House? If he could insure their attendance at the debate, that would be something; but the fact was, that he could neither ensure it at the debate nor the division. There was no such power; and half those who attended on Monday and answered to their names might, if they chose, be absent on Tuesday. He merely threw this out that the hon. Member might see whether any useful object could be gained by this Motion; because, if not, it would hardly be worth while putting people to the inconvenience which it would occasion.

Mr. HUME said, the House had the power of enforcing the attendance of Members on Monday; and if they attended on Monday and absented themselves on Tuesday, that would be a question between them and their constituencies.

Mr. EWART said, that, although there was no security for the attendance of Members on Tuesday, yet there was a strong probability that if they attended on Monday they would do so on Tuesday. There must, moreover, in his opinion, have been some good reason for the adoption of a rule by the House which had been so frequently acted upon.

Viscount BERNARD said, he wished to point out to the hon. Member for Montrose (Mr. Hume) the great inconvenience and injustice which he might occasion to some Members if he persevered in this Motion. He was there prepared to vote; but if he had been at home in the south of Ireland it would have been utterly impossible for him to arrive at the House in time after being made aware of the decision of the House.

Mr. S. CARTER said, that when Parliament was called together by the Queen's proclamation it was the duty of all Members to attend; and if, instead of being there they were in the south of Ireland or the south of France, or anywhere else, they had no right to plead such absence from their duty as an argument against a proposition of this nature.

The CHANCELLOR of the EXCHEQUER said, he perceived that Mr. Erskine May, the gentleman whom his hon. Friend (Mr. Hume) had so very justly and properly praised, observed in his work upon *The Law, Privileges, Proceedings, and Usage of Parliament,* "If it be really intended to enforce the call, not less than a week or ten days should intervene between the order and the day named for the call." He thought it always expedient to take as great care as possible that when there was a call of the House there should be very ample time between the order and the day named; but certainly, as a general rule, he should be very sorry to oppose a Motion of this kind; and, as he gathered from the feeling of the House that there was a desire to make the Motion of the hon. Member for Wolverhampton (Mr. C. Villiers) more or less a Motion of confidence in the Government, he should wish to see as large an attendance upon the occasion as possible; and certainly he should not himself oppose the Motion of the hon. Gentleman.

Mr. SHEE said, he wished to state the case of some hon. Friends of his, Members for counties in the south and west of Ireland, who he knew could not by possibility be present. Having had no reason to suppose that any business would so soon come before the House on which any great difference of opinion could arise, they had not yet attended the House; and it was impossible that they could now arrive in time; that being so, he thought it would be very hard upon them that they should be taken into the custody of the Serjeant-at-Arms. Unless the House had the power, therefore, to make exceptions in such cases, the Motion would be calculated to inflict a great injustice.

Lord JOHN RUSSELL said, he thought it would have been much better if the hon. Member for Montrose, immediately after the announcement of the hon. Member for Wolverhampton that he intended to bring forward his Motion, had given notice of his intention at an early day to make a Motion for a call of the House. [Mr.

HUME: I did so the very next day.] As it was, the time at present was certainly very short. However, according to the practice which he had always seen adopted when the House had been called over, if any valid excuse for absence were given, such, for instance, as being abroad, and unable to arrive in time, that had always been taken by the House, upon the allegation of any hon. Member, to be sufficient. He presumed his hon. Friend intended to pursue the same course in the present instance, and that on any Member not appearing, the question would be asked whether there were any ground or excuse for his absence. Having said thus much, he must say that he did not see any great advantage in the Motion. Certainly it had been practised upon former occasions when any questions of great importance were to be discussed, and, as the Motion of the hon. Member for Wolverhampton was one of that nature, it was unquestionably of great importance that it should be known whether they had adopted Free Trade and renounced Protection, or had returned to Protection and renounced Free Trade: he thought then, in this instance, the practice of former years might very well be followed.

The House *divided*:—Ayes 147; Noes 42: Majority 5.

List of the AYES.

Anderson, Sir J.
Baines, rt. hon. M. T.
Ball, J.
Baring, rt. hon. Sir F.T.
Barnes, T.
Bateson, T.
Bell, J.
Bellew, Capt.
Berkeley, hon. C. F.
Berkeley, C. L. G.
Biggs, W.
Blackett, J. F. B.
Brady, J.
Bramston, T. W.
Brotherton, J.
Browne, V.
Buck, L. W.
Byng, hon. G. H. C.
Carter, S.
Chambers, T.
Cheetham, J.
Clay, J.
Clay, Sir W.
Cobden, R.
Coffin, W.
Colvile, C. R.
Cowan, C.
Craufurd, E. H. J.
Crook, J.
Crossley, F.
Crowder, R. B.
Disraeli, rt. hon. B.
Drumlanrig, Visct.
Duncan, G.
Dundas, F.
Dunlop, A. M.
Ellice, E.
Esmonde, J.
Evans, Sir De L.
Fagan, W.
Ferguson, Col.
Ferguson, J.
Fitzgerald, W. R. S.
Fitzroy, hon. H.
Forster, C.
Forster, Sir G. M.
Fuller, A. E.
Gardner, R.
George, J.
Gladstone, Capt.
Goderich, Visct.
Goodman, Sir G.
Gower, hon. F. L.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Greene, J.
Greville, C. F.
Grosvenor, Earl
Hadfield, G.
Hamilton, G. A.
Hastie, A.
Hastie, A.
Hayter, rt. hon. W. G.
Henchy, D. O.
Henley, rt. hon. J. W.
Hindley, C.
Horsfall, T. B.
Hutchins, E. J.
Jolliffe, Sir W. G. H.
Keogh, W.
Kershaw, J.
King, hon. P. J. L.
Kinnaird, hon. A. F.
Kirk, W.
Langton, W. H. G.
Laslett, W.
Lennox, Lord H. G.
Luce, T.
Mackenzie, W. F.
Mackie, J.
M'Gregor, J.
McTaggart, Sir J.
Mangles, R. D.
Manners, Lord J.
Martin, J.
Massey, W. N.
Miall, E.
Mitchell, T. A.
Milligan, R.
Mills, T.
Milner, W. M. E.
Morgan, C. R.
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Murphy, F. S.
Naas, Lord
Napier, rt. hon. J.
Newport, Visct.
O'Brien, P.
O'Connell, M.
Oliveira, B.
Paget, Lord G.
Pakington, rt.hon.Sir J.
Peel, F.
Pellatt, A.
Phillimore, J. G.
Phinn, T.
Pilkington, J.
Pinney, W.
Pollard, U. W.
Price, W. P.
Ricardo, O.
Rice, E. R.
Robartes, T. J. A.
Russell, Lord J.
Sawle, C. B. G.
Scobell, Capt.
Shafto, R. D.
Shee, W.
Smith, J. A.
Spooner, R.
Stanley, Lord
Stansfield, W. R. C.
Stapleton, J.
Strickland, Sir G.
Sutton, J. H. M.
Thompson, Ald.
Thomson, G.
Trollope, rt. hon. Sir J.
Turner, C.
Tyler, Sir G.
Vernon, G. E. H.
Villiers, hon. C. P.
Vivian, H. H.
Walcott, Adm.
Walmsley, Sir J.
Walpole, rt. hon. S. H.
Warner, E.
Wells, W.
Whatman, J.
Whitbread, S.
Wickham, H. W.
Wilkinson, W. A.
Williams, W.
Wilson, J.
Winnington, Sir T. E.
Wyndham, Gen.

TELLERS.

Hume, J.
Ewart, W.

List of the NOES.

Anson, Visct.
Archdall, Capt. M.
Bagge, W.
Baillie, H. J.
Ball, E.
Baldock, E. H.
Banks, rt. hon. G.
Baring, H. B.
Barrow, W. H.
Bass, M. T.
Beaumont, W. B.
Bennett, P.
Bernard, Visct.
Blandford, Marq. of
Boldero, H. G.
Bonham, C. J.
Bowyer, G.
Bremridge, R.
Brooke, Lord
Brooke, Sir A. B.
Bruce, C. L. C.
Buller, Sir J. Y.
Burghley, Lord
Butt, I.
Campbell, Sir A. I.
Carnac, Sir J. R.
Chambers, M.
Charteris, hon. F.
Child, S.
Cholmondeley, Lord H.
Clinton, Lord C. P.
Clinton, Lord R.
Cobbold, J. C.
Coles, H. B.
Compton, H. C.
Cotton, hon. W. H. S.
Davies, D. A. S.
Deedes, W.
Divett, E.
Du Cane, C.
Duckworth, Sir J. T. B.
East, Sir J. B.
Egerton, E. C.
Euston, Earl of
Farnham, E. B.
Fellowes, E.
Ferguson, Sir R.
Floyer, J.
Follett, B. S.
Forbes, W.
Forester, rt. hon. Col.
Franklyn, G. W.
Fraser, Sir W. A.
Gaskell, J. M.
Glyn, G. C.
Greaves, E.

Lord John Russell

Gwyn, H.
Hale, R. B.
Hall, Col.
Halsey, T. P.
Hamilton, Lord C.
Harcourt, G. G.
Hardinge, hon. C. S.
Hawkins, W. W.
Hayes, Sir E.
Heard, J. I.
Herbert, H. A.
Hudson, G.
Hughes, W. B.
Johnstone, hon. H. B.
Jones, Capt.
Kendall, N.
Kennedy, T.
King, J. K.
Knight, F. W.
Knightley, R.
Knox, hon. W. S.
Lacon, Sir E.
Lascelles, hon. E.
Legh, G. C.
Lennox, Lord A. F.
Leslie, C. P.
Liddell, H. G.
Lovaine, Lord
Lucas, F.
Lygon, hon. Gen.
Macartney, G.
MacGregor, J.
M'Mahon, P.
Maddock, Sir T. H.
Malins, R.
Mandeville, Visct.
Meagher, T.
Meux, Sir H.
Michell, W.
Miller, T. J.
Mills, A.
Montgomery, H. L.
Montgomery, Sir G.
Moore, R. S.
Morgan, O.
Mundy, W.
Murrough, J. P.
North, Col.
Ossulston, Lord
Packe, C. W.
Pakenham, Capt.
Parker, R. T.
Peacocke, G. M. W.
Percy, hon. J. W.
Pigott, F.
Portal, M.
Pugh, D.
Robertson, P. F.
Rolt, P.
Russell, F. W.
Scott, hon. F.
Seymer, H. K.
Sibthorp, Col.
Smijth, Sir W.
Smith, Sir F.
Smith, W. M.
Smollett, A.
Stanhope, J. B.
Stirling, W.
Swift, R.
Taylor, Col.
Thicknesse, R. A.
Tollemache, J.
Vance, J.
Vansittart, G. H.
Verner, Sir W.
Villiers, hon. F.
Wall, C. B.
Whitmore, H.
Wigram, L. T.
Willoughby, Sir H.
Wise, J. A.
Wyndham, W.
Wynn, H. W. W.
Yorke, hon. E. T.
Young, Sir J.

TELLERS.
Newdegate, C. N.
Vyse, R. H.

The House adjourned at a quarter after Seven o'clock till *Monday* next.

HOUSE OF LORDS,

Monday, November 22, 1852.

MINUTES.] *Sat First in Parliament.*—The Duke of Brandon, after the Death of his Father.
Took the Oaths.—Several Lords.

THE EXHIBITION (SYDENHAM).

LORD PANMURE having presented a petition from the Free Synod of Aberdeen against the opening of the Exhibition (Sydenham) on any part of the Lord's Day,

The EARL of DERBY said, he was glad to have the opportunity of calling their Lordships' attention to the subject to which the petition had reference, and respecting which he had not had a previous opportunity of giving an explanation. He begged to be permitted to state how the case stood with respect to the proposed charter which was sought to be obtained for the Crystal Palace, because misapprehensions had arisen concerning it which had taken a great hold on the public mind, and he should be gratified if the explanation he could give would relieve any of the parties from their apprehensions, and relieve him from the vast number of memorials which were presented to him almost every day of his life. When first it was determined to form the Crystal Palace Company, it was a great object with the Directors to have a charter of incorporation—not to give them any powers which the law did not give them before, but for the purpose of securing to the shareholders the advantage of a limited liability, which would afford great facilities for carrying into effect the objects they contemplated; and a memorial was presented to the Government accordingly. His right hon. Friend the President of the Board of Trade (Mr. Henley) was not in this country at the time the Company made their application; but he (the Earl of Derby) saw the Directors of the Company; and when they had stated their views to him, he stated to them that he thought the most convenient course they could pursue was to put down in the form of a draught Charter the objects they had in view, and the restrictions to which they proposed to submit, in regard to the opening of the building on the Sunday, in order to obtain the countenance of the Government. He had since been in communication with his right hon. Friend the Secretary of State for the Home Department (Mr. Walpole), and the parties were informed that they were to consider the conversation that had taken place as merely an explanation of the views of the Government with regard to restrictions as to the opening on Sundays; but as to the issuing of any charter at all, that was a subject for consideration on the part of the proper authorities. They had proceeded on the assumption that there was nothing in the law which prevented the opening of the Palace on Sundays, and thought they had only to consider what clauses it would be necessary to introduce on granting the charter. He had no hesitation in saying, for his own part, that (subject to the restrictions which the Company had declared its willingness to submit to), the opening of the Crystal Palace on the Sunday, far from being a desecration of the Sabbath, would be a great benefit to the people of this overcrowded metropolis, by enabling them to avail themselves on the Sunday afternoon of the innocent recreation and amusement provided for them by the building and the beautiful grounds attached to it. If this scheme had involved an exhibition of articles of manufactures, machinery, and commerce, within the walls, and the attendance of the exhibitors to explain their inventions in arts, science, and manufactures, or if it had required the presence of a numerous body of attendants to guard and protect them on the Sunday, he might have taken a very different view of the subject. But the representatives of the Company had stated to him that their object was to close on the Sunday all the exhibition of machinery, manufactures, and commerce, and merely to throw open their beautiful park, garden, and conservatory, setting aside for that purpose certain hours, which would not interfere with the attendance of the population of London at Divine Service in the morning. It was further intimated to him by the Directors that it was their intention to run trains to the building itself, to issue return tickets, and to carry their visitors direct from the locality to London; they would thus be prevented from being scattered over the vicinity, and from being accumulated in the public-houses in the evening. It was also stated to him that it was the intention of the Directors to prohibit the sale of spirituous liquors in the precincts of the building and in the building itself. Subject to those restrictions, and to the risk of violating them, he still continued to be of opinion, notwithstanding the remonstrances that had been addressed to him, that, far from desecrating the Sabbath, the opening of the Crystal Palace on the Sunday would be useful to the population in giving them fresh air and amusement, and in promoting moral and social improvement among the working classes. Since these arrangements had been spoken of, a question had arisen as to whether the opening of the Crystal Palace could not be prohibited under the existing law, and whether under a certain statute—passed for a very different purpose, and enacting that the payment of money for admission into any place of amusement on a Sunday should be deemed an illegal offence—it could be opened at all. If that should be the case, he need not say that no clause inserted in the charter could render that legal which was declared illegal by law; and if such were the law, it could only be altered by the authority of Parliament, and they would not attempt to mislead the public opinion by giving a sanction which they could not really give. The alteration could only be made with the consent of Parliament; and he hoped that he might be permitted to say, on the part of Ministers, that if the payment for admission into the Crystal Palace on the Sunday were found to be contrary to the law, they would be the last persons to ask for the enactment of such a provision as would legalise it, however advantageous they might think it for the health, comfort, and morality of the population. When the clause to which he had referred was proposed to be introduced into the charter, it was looked upon by the Government, and by the promoters of the project, as a restrictive clause; but if the opening of the Crystal Palace should be illegal—a point which was then under the consideration of the law officers of the Crown—no clause authorising it would be inserted in the charter. In that case, the clause must be inserted, not by the consent of Her Majesty's Ministers, but by the authority of Parliament.

The Marquess of CLANRICARDE said, he had listened a few nights previous with great gratification to the speech of the noble and learned Lord on the woolsack, in which he referred to four or five subjects of legal reform; but he was disappointed at finding no mention whatever of an amelioration or amendment of the law of partnership. Under the present state of the law it was impossible for persons who had moderate means to associate their capital together, whereby their earnings would fructify in a laudable manner. Why should they not be permitted to associate together under the limited liability which the directors of the Crystal Palace Company were now so anxious to obtain? The consequence of the present state of the law was that they had to go to the Board of Trade for a charter, and the granting of that charter was regulated by no fixed rule whatever. That was a great grievance, because it gave to large capitalists the power to enter into speculations such as this; whereas a large number of small capitalists who were inclined to invest their money in such an undertaking were unable to do so. He would suggest to those who were much more competent to deal with the subject then he was, that it would be a most useful and acceptable reform, if a law of partnership were passed something like that in operation in France, or like that in force in Ireland, which had been found to work most beneficially in that country.

LORD CAMPBELL rose to express the high satisfaction with which he had heard the statement of the noble Earl at the head of Her Majesty's Government, and he trusted that statement would be satisfactory to the great majority of the country. Their Lordships would recollect that he had been no friend originally to the Crystal Palace in Hyde Park, but since it was transferred to Sydenham he was the warm friend of it, as conducive, not only to the recreation of the people, but to the cause of morality and religion. Under the restrictions which the noble Earl had stated, he believed the opening of it on the afternoon of Sundays, would not only be a recreation, but of the greatest advantage. There was an Act of Parliament in force, which prevented the taking money for admission into any place of public amusement or recreation on a Sunday; but he trusted that Parliament would relax that law in favour of the Crystal Palace Company, in consideration of the restrictions mentioned by the noble Earl opposite, and assented to by the Company.

Petition read, and ordered to lie on the table.

MEETING OF CONVOCATION.

The EARL of SHAFTESBURY wished to put a question to the noble Earl opposite on a subject of great interest. He alluded to the sittings and to the proceedings of Convocation. Many petitions had been, or would be, presented on the subject. He wished to know what were the intentions of the Government with respect to Convocation? It now stood adjourned to the 16th of February; he wished to know whether it would then be allowed to assemble again and proceed to business? He also wished to know whether, during that interval, the Committee appointed by the Lower House of Convocation would be permitted to sit?

The EARL of DERBY: As far as Her Majesty's Government are concerned there is no intention of making any deviation from the customary and ordinary course that for many years has been pursued with respect to Convocation; nor do I understand that there has been any deviation from the ordinary practice, although undoubtedly the meeting of Convocation in the course of the present year has been accompanied with considerable excitement, and has led to long discussion; but the proceedings of Convocation have gone this year no further than they have gone in all the preceding years—that is, they moved and voted an Address to the Crown at the commencement of the Session. It is true that the discussion upon that Address to the Crown —previous to which it would not have been decorous or proper that any power over Convocation should be exercised—lasted for a period of three days; but though it lasted for three days, this is not the first occasion on which there has been a discussion, or on which an Amendment has been moved in Comvocation. In the year 1847 the discussion lasted through the whole of one day, and an Amendment was moved, praying the Crown to revive the active powers of Convocation. The power of proroguing Convocation, undoubtedly in the last resort, rests with the Crown; but I believe there has been no instance in which that power has been exercised by the Crown, at least for many years, the power being usually exercised by his Grace the Archbishop of Canterbury, either acting (for that is a doubtful point) upon his own authority, or with the advice of the other bishops, *consensu fratrum*. On the present occasion I understand that the usual and ordinary course has been adopted, and that the noble Earl is mistaken in speaking of the adjournment of Convocation, for I am informed that the usual course has been pursued, not of adjourning, but of proroguing Convocation in the usual form. The Address having been voted to the Crown, the Convocation has been prorogued by the Archbishop to a period not far from being coincident with the time of the meeting of both Houses of Parliament after the recess. There is nothing unusual in the prorogation of Convocation to a distant day for the purpose of receiving the answer of the Crown to its Address—it is not usual to receive an immediate answer— there is always a prorogation for the purpose of receiving the answer. I have not had the opportunity, since my noble Friend gave notice of asking the question, of communicating with his Grace the Archbishop of Canterbury; but I have no reason to suppose that when Convocation meets again he will depart from the practice that has hitherto universally prevailed, nor do I apprehend that he will do more than lay before Convocation the answer to the Address, and then in the usual form prorogue the sitting of Convocation. I will not anticipate that the Archbishop will depart from the usual course, or that the intervention of the Crown will be in any respect necessary; but this I have no hesitation in saying, that the Ministers of the Crown have no intention to advise Her Majesty to depart from the ordinary course, or that they are prepared to sanction the revival of the active powers of Convocation. One word as to the committee to which my noble Friend has referred. Officially, I know nothing of the committee. I know, officcially, no more than this—that Convocation is prorogued, and that it has appointed a committee to investigate certain matters which had come before it. It is a question of law on which it is not fit that I should pronounce an opinion; but I confess I don't understand myself how a body that is itself prorogued can give any official powers to any other body during its prorogation. I would venture to give an opinion on the point with great diffidence; but if I did, my opinion of the committee is, that the powers of that committee are null and void, and that, on the other hand, there is no power on the part of the Crown, as they have no official cognisance of the committee, to prevent a number of gentlemen meeting together as a private body to consider what will be for the advantage of the Church. That is a question of a legal nature, on which I don't think I ought to pronounce an opinion. It will be seen that from the body of gentlemen meeting, no official communication has been made to the Crown; and, therefore, I do not see how any interference can be made on the part of the Crown to interrupt their sittings.

BUSINESS OF THE SESSION.

The Marquess of CLANRICARDE said, that in rising to make the inquiry of which he had given notice, he did not wish to urge on prematurely any debate, or to ask any question which it might be inconvenient for the Government to answer; but he thought it would be for the advantage of public business, and for the private convenience of their Lordships, that the House should know the nature and character of the public business to be proposed before the recess, and of that to be proposed during the remainder of the Session—in fact, generally, what course of public business the Government intended to pursue. He thought that the meeting of Parliament before Christmas did little to lighten the business or to shorten the duration of the spring and summer Session; but it was notorious that Parliament was assembled at the present period of the year, in order that the great commercial principles of the country might be brought to a full, and, he hoped, a final and satisfactory settlement. At the opening of the Session, it was the duty of Government to frame a Speech from the Throne applying to the whole of the business which would be brought forward during its continuance; and certainly the House had had an intimation of a variety of measures which would be laid before it, but it had no definite knowlege either of the nature of those measures or of the precise time at which they would be brought forward. There was no need that he should enumerate what those measures were; but, in his opinion, there could be no objection to the noble Earl opposite telling their Lordships what were the measures, if any, which he intended to introduce before Christmas. The real fact was, that their Lordships were assembled for deliberation on one great subject only, and he thought that it was most wise to avoid any discussion on free trade and protection on the first day of the Session, for their minds were then overwhelmed with sorrow, and were engaged in reflecting on the mournful duty which had devolved upon them, and on the proceedings in preparation for the approaching funeral of the Duke of Wellington. He understood that the noble Earl at that time had postponed all discussion on free trade and protection till after the 26th, when his right hon. Colleague the Chancellor of the Exchequer was to make his statement of his fiscal and financial policy in the other House of Parliament. Since that time he had seen that Her Majesty's Government had announced its intention of proposing an abstract resolution, embodying their views on our commercial policy, previously to the 26th instant; but he thought that the noble Earl would have no objection to state to their Lordships what he intended to propose to that House on this subject before Christmas; for, as it was notorious that their Lordships were met for the purpose of considering what was to be the great basis of our commercial policy, it must have been within the contemplation of the noble Earl to take the sense of the House upon it previously to the recess; for it was not to be supposed that when Her Majesty said that "if we should be of opinion that recent legislation, in contributing, with other causes, to the generally improved condition of the country, and especially of the industrious classes, had, at the same time, inflicted unavoidable injury on certain important interests, we ought dispassionately to consider how far it might be practicable equitably to mitigate that injury"—it was not, he said, to be supposed that that question would not at once be submitted to their Lordships. The speech of the noble Earl was of the same nature as the Speech from the Throne, but it touched upon the same subjects lightly. The question of free trade and protection rested on a great and firm principle, and not on the discovery of gold in one part of the world or another, nor on the sudden impulse of emigration in one year more than another—it was a question to be settled, he hoped finally and satisfactorily, on a firm and sound theory. He hoped that the noble Earl would have no objection to state what measures it was proposed to bring forward, and whether he intended to bring that question under consideration before the 26th instant?

The EARL of DERBY: My Lords, the question which has just been put to me by the noble Marquess is one of considerable importance. I shall endeavour to make my answer satisfactory; but, in answering the question as to the intentions of Her Majesty's Government—which I have not the slightest difficulty in answering—I must call your attention to the general circumstances under which we are now met together. I will not call to your recollection the circumstances under which Her Majesty's present Government accepted office, nor the species of understanding on which the business of the last Session of Parliament was conducted—when we thought it right to refuse an immediate appeal to the country, which would have interrupted the ordinary business of the Session, and when we further expressed our opinion that at the earliest possible period an appeal ought to be made to the country at large. My Lords, reference to the country at large will and must undoubtedly and immediately decide whether Her Majesty's Government is or is not in the enjoyment of that amount of the confidence of the country and Parliament which will enable it to administer satisfactorily the affairs of this great nation. There was one important question on which undoubtedly reference to the country was made—namely, on what principles the commercial and fiscal affairs of the country were to be managed. Those principles have been matter of controversy for many years, and all parties, whatever their opinions may be, must agree in this, that it is most desirable that at the earliest possible period they should be definitely and finally settled. My Lords, on the great question involved in them, without disguising my opinions, I declared last year, for myself and for those who did me the honour of acting with me—I will not say whether the declaration was wise or unwise, worthy or unworthy of a British Minister—but I declared I should be guided by the sense which the community at large might express through its representatives, and that I should not bring forward any measure in accordance with my own views if I found that those views were not supported by a large majority of the country, for I thought that the question ought to be finally closed at the earliest period; and therefore, my Lords, though I resisted the applications for an immediate dissolution of Parliament, and for its being summoned to meet again in July, I gave a solemn pledge that before the autumn was at an end Parliament should have an opportunity of deciding on the future fiscal and commercial policy of the country. My Lords, it was in the fulfilment of that pledge that Her Majesty was advised to summon Parliament to meet early in November for the purpose of laying before it the views which were entertained by Her advisers. A further pledge was also given by me in the course of last Session, that, in order to prevent any interference with the ordinary business of the Session, an opportunity should be given to the country to decide on any measures which Government might think it desirable to introduce for the purpose of reversing or modifying that policy. My Lords, it is always unpleasant and mortifying to any public man to have to confess that his sentiments on any subject of great importance are not in unison and accordance with those of the great body of his fellow-subjects; but, mortifying as it may be, I have no hesitation in now saying, that the result of the late general election has been such as to convince me that, although a number of the constituencies and their representatives are desirous of giving their support to Her Majesty's present Ministers, a very large number, some of whom might be desirous of giving their support to Her Majesty's present advisers on other subjects, are determined not to assent to any alterations in our present commercial system; and that, in consequence, any alteration in that system, so far from being called for by a large majority, would, on the contrary, be negatived by a very large portion of the community and their representatives in Parliament. I therefore did not hesitate to advise Her Majesty, in the Speech from the Throne, to declare, in terms as explicit as I thought it proper and fitting as a Minister to place in the mouth of the Sovereign, not, indeed, any opinion as to the policy to be pursued, but only an expression of fact, that the principle of unrestricted competition was one which the wisdom of Parliament had decided should be adopted. If, my Lords, there was any ambiguity in the tone of that Speech, I think it must have been removed by the declaration which I made in the House myself on the night of the Address, and by the speech which the leader of the House of Commons made elsewhere, to the effect that, whatever we might think or desire, we were willing and ready to act on the principle of unrestricted competition, which it had been decided should guide our fiscal and commercial policy, and that, my Lords, as frankly and unreservedly as if we had ourselves been the authors of it. I doubt much, whether language could be framed pledging the Government more explicitly to any line of policy, or giving a more satisfactory assurance to those Gentlemen who were apprehensive of our tampering with or altering the existing system. But, my Lords, we went further; for, although we thought that those who differ from us might have rested fully satisfied with those expressions—and we know that many were satisfied—and agreed with us in postponing the declaration of our financial policy until the ordinary period of laying it before the country; yet with a full sense of the disadvantages arising from the imperfect calculations which must attend measures brought forward in so short a space of time, we thought the more honest and upright course was, not to confine ourselves to vague expressions, but to lay before Parliament in full detail those measures of commercial and fiscal policy which we were prepared to recommend to the adoption of Parliament, and by which Parliament would be able to judge at once of the sincerity of our professions and the wisdom and policy of our performance. On the very first day of the Session I took the liberty of informing your Lordships, and I believe a formal notice was given to the same effect in the other House of Parliament, that within the period of one fortnight—namely, on Friday next—my right hon. Friend and Colleague the Chancellor of the Exchequer would, in detail, lay before Parliament those measures which he thought necessary to propose, in order to carry out the policy which Her Majesty's Ministers had decided upon adopting. I was rather surprised, I confess, at the language used by the noble Marquess opposite. He said, that after making that declaration, the Government had thought it desirable—I beg pardon—that the Government had, in the meantime, given notice of their intention to move, previously to the 26th of November, a specific Resolution affecting the principle in question. The noble Marquess will forgive me for saying that that is neither a candid nor a correct statement. Her Majesty's Government gave no such notice. They were perfectly satisfied to rest until the 26th, when facts, and not words, would give proof of the sincerity of the course they intended to pursue. However, my Lords, another Gentleman in the other House, unconnected with the Government and opposed to it, did think fit to anticipate that, which would have been much more satisfactorily discussed after the commercial policy of the Government was before the country, by giving notice of an abstract Resolution, which he proposed to submit to the consideration of the House of Commons; and so far from the Government giving notice as the noble Marquess has assumed, the fact was, that that hon. Gentleman was appealed to on behalf of the Government, not to withdraw any notice of Motion he might think proper to give, but to postpone the debate on his abstract proposition until the House should be in possession in detail of the intentions and measures of the Chancellor of the Exchequer. So far, my Lords, with reference to an abstract Resolution proceeding from the Government. Now, my Lords, as I have touched, I will say one word upon the Resolution proposed by that hon. Member in the other House of Parliament. It was couched—and, I presume, intentionally—in language and terms which the framer of it must have known it was impossible for the Government or their supporters to accept. It was not confined to expressions as to the policy which was necessary to be pursued for the future, but contained reflections and opinions in which the Mover must have known it was impossible for us to agree.

For my own part, I must confess that, after the declarations made by the Government on the first night of the Session, and after its announcement that it would proceed to an immediate promulgation of their measures, I think there was no necessity for proposing any specific resolution on the subject. But granting that there was such a necessity, I think that any Gentleman who has at heart the real interests of the country, and the affirmation of the principles he advocates, should so frame the Resolution as to omit everything unnecessary, and to affirm the principle which he sought to support by the largest possible majority, if not the unanimous vote of the House of Commons. That Resolution, however, as I before stated, is couched in terms which the honour and credit of the Government rendered it impossible for them and their supporters to give an assent, So far as regards the affirmation of a principle, it goes no farther than pledging Parliament, so far as any Resolution can pledge Parliament, to the adoption of a principle for the future; it goes no farther than that Amendment, which, for the purpose of recording the opinions, intentions, and principles of the Government, my right hon. Friend the Chancellor of the Exchequer has placed on the notice paper of the other House of Parliament. Therefore, for the affirmation of a principle, that Motion was and is unnecessary. I know not, of course, what other views may be in contemplation by those who instigated the Motion. If their intentions be to overthrow the present Government before the period at which they shall have an opportunity of developing and explaining their policy, I only hope, if that be the case, that the hon. Gentleman who moves the Resolution, and the heads of those various sections into which the Opposition in the House of Commons is divided, have well considered the full amount of responsibility which they take upon themselves—that they have considered, not how they may combine the largest amount of force for overthrowing the Government, but, having regard to the interests of the country, they will also consider, the Government being overthrown, whether they possess among them the materials, and that uniformity and unity of action and intention which are necessary to form another, and to preserve the country from the inconveniences of a Ministerial interregnum. It may be that they have no intention to take upon themselves such responsibility, or of seeking to overthrow the Government; and if that be so, then, considering that this Motion can do nothing towards affirming a principle further than we are ready and willing to affirm that principle ourselves, where is the utility of it? And if it be not intended to overthrow, but only to weaken and discredit the Government, by forcing on them a Resolution in terms which are offensive to them and their supporters—if that be the only intention which the movers have in view, my Lords, I have then great confidence in the House of Commons and the country, and I believe that they will not sanction and support a proceeding which, if that be the intention, must be purely factious, and, if successful, must involve very serious difficulties in its train. Thus much, my Lords, in regard to the course which we are about to pursue, and which we have announced the intention of pursuing, and the impediments that have been thrown in our way. My Lords, I have already said that I concur with the noble Marquess opposite that we meet together at this unusual period for the purpose of discussing any alterations which it may be intended to make in the existing commercial system, for the purpose of closing at once and for ever the controversy on the subject of protection and free trade. My Lords, if it had been the intention of the Government to offer any proposition for the purpose of reversing or altering the system as established, due notice of such a proposition would have, at a very early period, been given to this and the other House of Parliament; but, on the contrary, both here and there the most distinct intimations have been given that we had no intention of proposing measures founded in such a spirit, and that our commercial and financial policy would be based on a different system. It, therefore, does not occur to me, nor is it desirable, that your Lordships should be invited to pronounce a distinct and positive opinion on that which is not threatened by any one of us—unless, indeed, a controversy be raised on the part of those who dissent from the course which the Government has thought it necessary to pursue, or are desirous of submitting to Parliament the propriety of deviating from that course. The noble Marquess has said, and with truth, that in opening this Session of Parliament the Government ought to advert to those various measures which, in the course of the Session, they feel it their duty to submit to both Houses of

Parliament. But, my Lords, we have done somewhat more. We thought it advisable to summon together the present Session for the purpose more especially of dealing with that commercial and financial question; and although we are prepared in the other House of Parliament, in which such questions must arise, to deal with that commercial and financial question—that policy by which we intend to stand or fall—before the Christmas recess, and to take the opinion and judgment of that House on that policy, and on those measures which we may submit to it; though we have thought it expedient in this House to avail ourselves of the unexpected time given for renewing our inquiries into that preliminary legislation which must take place on the subject of the East Indian territory at a very early period; though my noble and learned Friend the Lord Chancellor, in a speech full of the most lucid and clear argument, has submitted to the House an outline of those great measures of legal reform which he desires to have an opportunity of submitting to Parliament; though the principles of legal reform dealt with by the introduction of Bills into the other House of Parliament, not for the purpose of immediate discussion, but for the deliberate consideration of that House; and though my right hon. Friend the Attorney General for Ireland is possibly at this very moment engaged in laying before the other House of Parliament measures of the utmost importance in regard to the social condition of Ireland; it is not the desire or the intention of the Government to introduce at this unusual period of the year, or to call for the decision of Parliament upon, any measures except those which are strictly necessary for the purpose of giving entire fulfilment to the understanding which prevailed, and the pledges which were given; but, beyond that, it is not our intention to submit any important measures for the consideration of Parliament; nor do I think it is likely that your Lordships' House will be called upon by Her Majesty's Government to pronounce a decision on any important subject.

The MARQUESS of CLANRICARDE confessed he was not entirely satisfied with the answer of the noble Earl, which he thought was not sufficiently explicit. He begged, with all deference to the noble Earl, to repel the charge that he was actuated by any factious motives. He thought he had said that the resolution of which the Government had given notice, in the other House, was by way of amendment; but even supposing that he had not, was it not monstrous to suppose that he intended to deceive any one as to the mode in which the resolution appeared on the Votes of the other House of Parliament? It was not true, accurately speaking, that the Ministers were at all driven by the resolution proposed to embody their views in another resolution, and moving it as an amendment; for it was perfectly competent for them to have accepted the resolution proposed, to have negatived it, or to have avoided a decision by moving the previous question. The Government had, however, decided on taking a different course, and (whether wisely or unwisely he did not say) upon embodying their views in a counter resolution; and he was, therefore accurate in saying that, since he had given notice of his question, Government had placed before the House of Commons a resolution embodying their views upon the commercial policy of the country.

The EARL of DERBY remarked that, without wishing to prevent the noble Marquess from making any observations which he might wish to lay before the House, he would suggest that, in order that he might place himself in conformity with the rules of the House, he should propose some substantive Motion to the House upon which the discussion might be carried on.

The MARQUESS of CLANRICARDE said, that he would conclude by moving that the Clerk should read that portion of Her Majesty's Speech relating to the commercial policy of the country. He did not think that the noble Earl had a right to assume that this passage of the Speech from the Throne, or the speech which he himself made on the first night of the Session, was a sufficient record of the deliberate opinion of that House on this great question. But if the noble Earl thought so, then he (the Marquess of Clanricarde) must say that nothing could be more insignificant or unworthy of the occasion than the noble Earl's treatment of this subject on the first night of the Session. This great question was founded on principles that had not been discussed only since 1846 in England, but which had been discussed in Europe for centuries, and also very much in America of late years. Protection had been maintained by many writers and statesmen of great eminence in other countries as well as in this; but, on the other hand, those on that side of the House contended that free trade was the sound doctrine; that it was one that had the best authorities in its favour; that the experience of the last few years had conclusively proved its truth; and that it was the principle upon which the commercial policy of the country should rest. Was he then to be told that when a Government—composed of noble Lords and right hon. Gentlemen, whose lives had been passed in opposing it—had at last accepted it in the qualified way to which the noble Earl had referred, that a speech from the noble Earl, and the passage from the Speech from the Throne, was sufficient to bind the House of Lords on this great subject? He maintained that it was not. Whatever might be the vote of the House of Commons on this subject, it did not bind that House; and if Parliament was assembled to decide this question, it should have been submitted to that as well as to the other House of Parliament, and determined upon broad and comprehensive principles, without reference to the stream of emigration which had gone forth from the country, or the amount of bullion that had come into it. He knew not what effect the noble Earl's threat of resignation might have upon the country. He did not know whether he thought that because he was able to go down to Windsor and swear in eighteen Privy Counsellors in one day, and to form a Government consisting of Three Secretaries of State, a Chancellor of the Exchequer, and a First Lord of the Admiralty, not one of whom had ever held office before; or whether he thought that they had displayed such wonderful abilities during the time they had been in office that the Houses of Parliament would be debarred from a hostile vote by the impossibility of selecting adequate successors from the Privy Councillors on either side of the House. But without wishing to say anything uncomplimentary, he must remark that when Parliament was told, "Take care what you do, for possibly we may resign, and you will have to concoct a Government without us;" he thought that they had only to look round on the benches of either House of Parliament, in order not to be frightened by such threats. Of this he was perfectly assured, that not only the Members of that House, but the country, entertained a sincere conviction that free trade had been explictly and firmly adopted, and that the recorded opinion of both Houses to that effect ought to be obtained before the recess. The noble Marquess concluded by moving that the paragraph in Her Majesty's Speech relating to the improved condition of the country be now read.

Lord WODEHOUSE said, that he was struck with the mode in which the noble Earl opposite, after discussing the general policy of the Government in a manner calculated to produce a great effect, had endeavoured to stop the noble Marquess when he sought to make a few observations. As the noble Earl had used the word "factious" in reference to the Resolution which had been brought forward in the other House, he wished to say a few words in defence of its mover. The noble Earl had tried to persuade them that there was no difference between the original Resolution and the Amendment of the Chancellor of the Exchequer; but he apprehended that the difference was this, that the original Resolution said that the adoption of free trade was a just, wise, and necessary measure, and the Amendment said nothing at all of the kind. The noble Earl was very fond of accusing those on that side of the House of adopting factious courses; but he could not discover anything extraordinary in the course pursued by the Opposition; for when he looked at the equivocal line of conduct which had been pursued by the noble Earl and his friends since 1846, he thought it was necessary to extract from them pledges of a stronger character than were usually sought from Ministers of the Crown. The noble Earl had convicted himself in that respect by the very language he had used. The noble Earl said that he went to the country prepared to bring in protective measures if he found the country prepared to support him, but, on the other hand, prepared to adhere to a free-trade policy if the country was in its favour. Now, he (Lord Wodehouse) must confess that it was utterly inconceivable to him how, with any regard to political morality, such a course could be adopted by a Minister of the Crown. If the noble Earl, as he gathered from his speech, still thought that protection was the policy which should regulate the commercial and financial affairs of the country, he should, in justice and in honour, either resign office, or endeavour to induce the country to adopt measures founded upon this principle. If he still believed that it would be beneficial to carry out those principles, he should stand or fall by them. But what was the couse which he had adopted? Living in an agricultural district where nearly all Members of Parliament supported his Lordship's Government without knowing what his principles were, he (Lord Wodehouse) had a good opportunity of knowing what the feeling amongst his supporters was; and he knew that they expected that if the noble Earl could not carry out protection, he should give them something as nearly equivalent to protection as he could; that he would somehow enable them to regain the money they had lost in 1846. Now, he apprehended that was precisely the point upon which the Opposition were at present at variance with Her Majesty's Government. The former wanted, not only that the principle of unrestricted competition, "which in its wisdom Parliament has been pleased to adopt," should be adopted by Her Majesty's Government, because the country had not given them a majority to adopt other measures, but they also wanted to know whether Her Majesty's Ministers adopted that policy as being conducive to the prosperity and to the interests of the country, and whether they did not rather intend to propose the measures nearest to protection which they could consistently with retaining their places. If free trade or unrestricted competition was the policy which had conduced to the general prosperity of the country, then that principle should be applied as far as the condition of the country, the taxation of the country, and all the other circumstances in which we were placed, would admit; but if the principle of the present Government were affirmed—that, the policy of 1846 having been adopted, it was not desirable, under all the circumstances, to change it, but rather to mitigate the injury inflicted as far as possible, not for the benefit of the whole country, but of certain classes supposed to be injured—then, so far from that controversy being closed, we had only, in truth, arrived at another stage of it; it would still be carried on with the same vigour as before, but in the end it must result in the signal defeat of the Government. When the noble Earl applied the term "factious" to the conduct of those opposed to him, he (Lord Wodehouse) would remind him (without any intention of imputing motives) that his own conduct since 1846 would bear that interpretation as well as that of any man in the country. When they considered the way in which he broke up the Ministry of Sir Robert Peel in 1846, and remembered his declarations year after year to the farmers that he would stand by protection, and then saw the manner in which, when he was called upon to take office in 1852, he declared that he would bow to the feelings of the country, he thought he had the same right to stigmatise his conduct as factious, as the noble Earl had to apply the same language to the Opposition. He (Lord Wodehouse) would not have risen to say a single word had not the noble Earl made, what seemed to him, a most deliberate attempt to take all the advantage of the discussion to himself, and to prevent any one else having an opportunity of speaking. Considering the immense amount of abilities which all were perfectly aware was concentrated on the Government benches in both Houses of Parliament, but particularly in that, he must say that he thought it was extremely remarkable that they so seldom heard the sweet voices of the noble Lords opposite. It was curious that the noble Earl opposite should always get up to take all the debate upon himself, not only to reply to the speech of the noble Lord who might have immediately preceded him, but also to the speeches of all the noble Lords on the opposite side of the House who had spoken before him in the course of the discussion: that, he thought, scarcely consistent with one of the principles held by the disciples of free trade—he meant the division of labour.

The Earl of DERBY: My Lords, I do not rise to answer the speech of the noble Baron who has just resumed his seat. It is unnecessary for me to make any observations on the temper, the language, and good taste of that speech. My conduct has been before the public for—I am sorry to say—nearly thirty years; and I am not now going to defend myself against imputations which I feel to be utterly unworthy of further notice. The noble Baron may be a competent judge of what is due to his own personal honour; I claim to be the best judge of what is due to mine; and I want no advice from him as to the mode in which I should maintain it. One word as to the charge of my having endeavoured to prevent the noble Marquess from addressing the House. I am sure the noble Marquess himself will acquit me of such a design. It appeared to me, from the turn which the discussion was taking, that it was likely to run to a considerable length, and I interrupted the noble Marquess merely for the purpose of suggesting that he should place himself within the rules of the House, and not with the remotest intention or wish of preventing him from addressing to your Lordships any observations he might think proper to make. The noble Marquess, as I gathered from his remarks, seems to think that I have not fairly described the course which the Government have taken in submitting a Resolution to the House of Commons previous to the 26th instant. The noble Marquess speaks of this step as being a spontaneous one on the part of the Government. Surely the noble Marquess must know that it was not a spontaneous step, but one rendered necessary in consequence of a notice of Motion given from the side of the House opposed to the Government; and we thought it the best and the most conciliatory mode of meeting that Motion. I have no wish to enter into irrelevant discussion at this time. I have stated frankly and plainly the course which Her Majesty's Ministers intend to pursue; and all I ask is, that before pronouncing condemnation on our measures, Parliament will wait to see them.

Lord WODEHOUSE begged to state, in explanation, that if he had said anything, without intending it, to reflect upon the personal honour of the noble Earl, he withdrew it.

The Earl of DERBY, after the handsome apology of the noble Lord, should cease to remember a single word of what he had said.

On Question, *agreed to;* and the said paragraph was read as follows:—

"It gives Me Pleasure to be enabled, by the Blessing of Providence, to congratulate you on the generally improved Condition of the Country, and especially of the Industrious Classes. If you should be of opinion that recent Legislation, in contributing, with other Causes, to this happy Result, has at the same Time inflicted unavoidable Injury on certain important Interests, I recommend you dispassionately to consider how far it may be practicable equitably to mitigate that Injury, and to enable the Industry of the Country to meet successfully that unrestricted Competition to which Parliament, in its Wisdom, has decided that it should be subjected."

House adjourned till To-morrow.

HOUSE OF COMMONS,

Monday, November 22, 1852.

Minutes.] Public Bills.—1° Courts of Common Law (Ireland); Land Improvement (Ireland); Leasing Powers (Ireland); Landlord and Tenant (Ireland); Tenants Improvement (Ireland). 2° Bank Notes.

CASE OF MR. PAGET.

Mr. MONCKTON MILNES said, he wished to ask the noble Lord the Under Secretary for Foreign Affairs a question of which he had given him notice. It appeared that on the 2nd of September last the apartments of Mr. Paget, an English gentleman residing at Dresden, were entered by a large body of police, who insisted upon the delivery of his private manuscripts and papers; that these were forcibly seized and carried off, and that, on a representation being made to Mr. Forbes, the English Minister at Dresden, application was made by him to the Government of Saxony, who disavowed all knowledge whatever of the occurrence. It afterwards transpired that this outrage had taken place by an order of the Austrian Government, communicating their desire to the police acting in Saxony. He (Mr. M. Milnes) wished to know whether Her Majesty's Government had received any communication on this subject; whether any redress was demanded, and had been given; and also whether the Government had any objection to lay on the table the papers connected with this outrage upon an unprotected and unoffending English gentleman?

Lord STANLEY: I think my hon. Friend has been greatly misinformed in the details of the subject to which he has just called the attention of the House. It is true that Mr. Paget, a British subject, who for about two years has been residing at Dresden, had his house entered and his papers seized by the police; but it is not true, at least no information of that kind has reached Her Majesty's Government, that his papers were seized by the Austrian authorities. They were seized by the police of the country in which he resided. The British Minister at Dresden, Mr. Forbes, at once remonstrated with the proper authorities, and the result of his remonstrance was, that after a short interval Mr. Paget's papers were returned to him. I should state that the first answer that was made by the Government of Saxony to the remonstrance of Mr. Forbes was, an admission that Mr. Paget's papers had been taken from him, and a justification of the act, on grounds which proved to be utterly erroneous. But to that reply a second note of remonstrance was sent by Mr. Forbes, which appeared to have produced its effect, for very shortly afterwards Mr. Paget's papers were restored, and Mr. Forbes was directed to convey to Mr. Paget an expression of regret, on the part of the Government of Saxony, at what had occurred, and to state to Mr. Paget that the police who had taken upon themselves, without orders, to seize his papers had received a very severe reprimand. Under these circumstances no further notice of the matter on the part of the Government was thought necessary.

WESTMINSTER BRIDGE.

SIR DE LACY EVANS said, he would beg to ask the First Commissioner of Woods what the definite intentions of Government were as to the removal or the contrary of the buildings on either side of Bridge-street, Westminster-bridge; and if one or both sides of that street were intended to be removed, at what period it might be intended to carry the same into effect?

LORD JOHN MANNERS said, he had to state that it was the intention of the Government to introduce a Bill in this Session of Parliament directing a bridge to be built across the Thames at Westminster, but that measure would not include the property on the south side of Bridge-street. The hon. and gallant Gentleman was probably aware that the houses on the north side of Bridge-street were the property of the Westminster-bridge Commissioners, with the exception of one house; and he (Lord John Manners) believed the leases would very shortly fall in. But with regard to the houses on the south side of Bridge-street, their purchase, he feared, would be a very expensive affair; and it was the opinion of the Government that their removal was not necessarily connected with the erection of a bridge across the Thames. Their removal, doubtless, would be a great improvement to the appearance of the New Palace of Westminster, though the cost that would necessarily be incurred would in all probability prevent that removal taking place. When the Bill which he had previously mentioned was before Parliament, the hon. and gallant Gentleman would then have an opportunity of seeing what were the intentions of the Government on the subject.

ECCLESIASTICAL COURTS—CHURCH REFORM.

SIR B. HALL: I wish to put three questions to the right hon. Gentleman the Secretary of State for the Home Department, of which I have given him notice. The first relates to the Ecclesiastical Courts, the second to Ecclesiastical Discipline, and the third to Episcopal Incomes. The right hon. Gentleman is aware that in 1850 a Committee was appointed by this House to inquire into the Courts of Law and Equity. That Committee presented a very elaborate report, in which they set forth the facts that arbitrary fees are taken by Judges and registrars, who it appears hold sinecure offices, "and the Committee desire that the attention of Parliament should be directed without delay to the application of the necessary remedies." The first question is, whether he can inform the House whether it is the intention of the Government to introduce any measure or to take any steps for the purpose of carrying out the recommendation of that Committee? With regard to the second question—that referring to Ecclesiastical Discipline—the right hon. Gentleman perhaps has had his attention drawn to a paper presented to the House in 1851, being No. 205, which was an Address to Her Majesty from lay members of the Church of England, and very numerously signed by Peers of Parliament and Members of this House, complaining of certain innovations in the form of worship of the Established Church, and praying that Her Majesty might be graciously pleased to take such steps as might prevent a continuance of those practices. Her Majesty commanded the Secretary of State to communicate with the Archbishop of Canterbury; and the Secretary of State, then Sir George Grey, says (writing to the Archbishop):—

> "Her Majesty places full confidence in your Grace's desire to use such means as are within your power to maintain the purity of the doctrines taught by the clergy of the Established Church, and to discourage and prevent innovations in the mode of conducting the services of the Church, not sanctioned by law or general usage, and calculated to create dissatisfaction and alarm among a numerous body of its members."

A short time since a letter appeared in the public papers, signed by the clergy and laity of the diocese of Exeter, and addressed to the Archbishop of Canterbury, praying that his Grace would interfere to carry out those recommendations of Her Majesty. His Grace replied—

> "The memorial alludes to the introduction of doctrines and practices into the Church during the last few years which cannot be reconciled with the principles of the Reformation. This is a subject upon which, unhappily, I have been so often obliged to declare my opinion, that I need not repeat it now. The memorial, however, proceeds to complain of a practice originating in these erroneous doctrines, which can scarcely be distinguished from the auricular confession of the Church of Rome. I agree with the memorialists in believing this practice to be equally unscriptural in principle, and mischievous in effect. But I trust

that public opinion will prevent the continuance of the system."

I ask, now, whether it is the intention of the Government, or whether they can inform the House and the laity of the Church of England whether it is the intention of the Bishops of our Church to take any steps in pursuance of the commands of Her Majesty for the purpose of preventing those proceedings which the Archbishop himself declares "are contrary to the principles of the Reformation?" The other question, as regards episcopal incomes, is perhaps one which the right hon. Gentleman may answer more easily. The Act of 1836 was intended to limit the amount of Episcopal incomes; but by a return laid on the table of this House, it appears that the spirit and intention of that Act are evaded; and I wish to know whether it is the intention of the Government to introduce any measures which may carry into effect the spirit and intention of that Act, so that the bishops may not have larger incomes than those which were assigned to their respective sees?

MR. WALPOLE: Sir, the hon. Gentleman has asked me three very important questions, and the most important of them, perhaps, is the first, namely, what are the intentions of Her Majesty's Government with respect to the reform of the Ecclesiastical Courts? Perhaps I might say that the Report to which the hon. Gentleman has referred is a Report of a Committee with reference to fees taken in the Courts of Law, and is not a Report on the whole question of the Ecclesiastical Courts. Now, the hon. Gentleman may possibly be aware that the Lord Chancellor in another place has already intimated that extension has been given to the Chancery Commission—in consideration of a paragraph in their most valuable Report—to enable them to consider the whole question of testamentary jurisdiction with reference to proceedings in the Courts of Law, the Ecclesiastical Courts, and the Court of Chancery. The attention of the Government has been seriously called to the subject, and I have no hesitation in saying that they are unanimously of opinion that there ought to be a stringent, an extensive, and a decided reform in the Ecclesiastical Courts. Wishing, as I do, that this reform may be one that may be approved of generally, and carried into execution and effect with the approbation of the country, I certainly wish, for my own part, that no Bill should be brought in until the whole question can be taken into consideration. For that reason, I own, the Government have not at the present moment an immediate intention of bringing in a Bill, because they look with great anxiety to that Report of the Chancery Commissioners, which will probably settle the whole question. With regard to the second question, I hardly know how to answer it. There are no powers, that I am aware of, in the Crown for preventing what the hon. Gentleman has called Romish practices in our Church. The best mode by which they can be prevented is by the good sense of the people of this country, expressed, as it has been over and over again expressed, against the introduction of any such novelties into our Church; and, so far as the Government are concerned, they are as anxious as the hon. Gentleman, or anybody else can be, to see that our own Church is preserved in perfect purity, according to the principles established at the Reformation. With regard to the last question, which relates to Episcopal Incomes, the hon. Gentleman is aware that they were settled by the Ecclesiastical Commissioners, by virtue of the Act, I think, to which he refers. I do not see that the Government ought to interfere with the life incomes of any of the bishops, but to leave the Episcopal Incomes in future to remain as they were settled by the Ecclesiastical Commissioners, in pursuance of the Statute to which the hon. Gentleman has referred.

THE CAPE OF GOOD HOPE—THE CONSTITUTION.

MR. FREDERICK PEEL said, that seeing the right hon. Gentleman the Secretary for the Colonies in his place, he was desirous of asking permission of the House to correct a misapprehension into which he conceived that the House could not but have been led by what fell from the right hon. Gentleman in replying, on last Friday evening, to a question put by the noble Lord the Member for London (Lord J. Russell), calling for an explanation of the delay that had taken place in transmitting the Constitution to the Colony of the Cape. He (Mr. Peel) understood the right hon. Gentleman to say that a general impression had prevailed throughout the Colony that Earl Grey, in his draft Constitutional Ordinances, had intended to confer the franchise on every man who occupied for a certain number of months any description of fixed property—that it was under that impression that deliberations had taken place in the

Legislative Council, and amendments been proposed; and that the Council, conceiving that their franchise was so extensive as to admit the bulk of the coloured classes, and at the same time entertaining great distrust of those classes in consequence of their having united with the Kafirs in rebellion against the Crown, had made amendments restricting very considerably the franchise, with the express view of excluding the coloured classes. He understood the right hon. Gentleman further to state, that after all these proceedings were over, in the course of a conversation between Lieutenant Governor Darling and the Attorney General, Mr. Porter—the latter having, as he (Mr. Peel) understood the right hon. Gentleman, then for the first time taken the trouble to read the clause in question in the draft Ordinances of Earl Grey—observed that it was much less liberal than it professed to be, and that, in fact, it conferred the franchise only on the occupiers of one description of property, namely, house property, and that this qualification made the franchise more exclusive even than that adopted in the amendments of the Legislative Council, which were considered to be so narrow as to have been protested against by the whole Colony. The right hon. Gentleman proceeded to add, that under these circumstances the question of the franchise was involved in new and insuperable difficulties, and he did not know which franchise to adopt; that certainly he could not adopt the franchise contained in Earl Grey's draft Ordinances, because if he did he should be conniving at a delusion. Now, it was quite true that the franchise in the draft Ordinances sent out from this country was restricted to the occupation of house property of the value of *25l.*; but the point which he was concerned in making clear was this—that there was not and could not be any misconception in the Colony of the Cape as to the fact of this limitation, because in the covering despatch in which the Ordinances were transmitted, Earl Grey distinctly stated that the question of the franchise was one on which he could not be expected to express any decided opinion; that at so remote a distance from the Cape he could not decide a question of that kind; and that he must abide by the views of those who, being locally connected with the Colony, might be presumed to be cognisant of the nature of its society and the tenure of its property, on which questions the franchise must mainly depend.

That, in taking this course, he was prepared to follow the views of the Legislative Council, and especially among them the recommendations of the Attorney General, (Mr. Porter), a gentleman who was much distinguished in the Colony for his ability and for his long official service and professional attainments. Now, he should state that Sir Harry Smith, when Governor of the Cape, had directed the Attorney General (Mr. Porter) to draft a Constitutional Ordinance in accordance with the views of the Colony, of the Council, and of Mr. Porter himself. Mr. Porter proceeded to discharge that duty, and his draft Ordinance was transmitted to this country; and, as far as the question of the franchise was concerned, the only point to which he (Mr. Peel) now adverted, Mr. Porter's draft was the basis of Earl Grey's clause in the draft Ordinances. Without entering into particulars, he might state that Earl Grey made a literal transcript of Mr. Porter's paragraph, and transferred it into his own draft Ordinances. He confessed, then, it appeared to him quite impossible that there could be any misconception in the mind of the Attorney General at the Cape with respect to the precise nature of this qualification. It only remained for him to say, that not only Mr. Porter but every Member of the Legislative Council was, he was certain, quite aware of the nature of the franchise, because he found in the Amendment adopted by the Legislative Council—and he might mention that the question of the franchise was discussed for many days in the Council—the following words added to house property: "whether separately or jointly with any land occupied with the house;" clearly showing that they were aware that the franchise conferred by Earl Grey was restricted to the occupation of house property as distinguished from any other kind of immoveable property. That was the explanation he wished to make, and he trusted that if any hon. Gentleman had been misled by the right hon. Gentleman the Colonial Secretary into the idea that Earl Grey had resorted to anything like artifice or stratagem to disguise the real nature of the franchise from the Colony, he would now give that noble Lord credit for acting in a plain and straightforward manner.

SIR JOHN PAKINGTON said, he thought that the House would perceive that the question to which the hon. Gentleman had called their attention was not only one of detail, but one of an intricate and difficult character. He must say that he thought the hon. Member would have treated him with more courtesy if he had given him some notice of his intention to bring the subject forward. He (Sir J. Pakington) had not the slightest idea, until the hon. Gentleman rose, that it was his intention to refer to what had fallen from him on a former evening. He followed the hon. Member with as much attention as he could, and he confessed he could not clearly understand what his reasons were for introducing the subject until he came to his closing observations. From the words used by the hon. Gentleman at the close of his speech, he presumed he meant to say that it was his (Sir J. Pakington's) object on Friday evening last to impute to Earl Grey some intention to mislead the Colony, and to practise some delusion on this question of the franchise. Now, if that were really the hon. Gentleman's impression, he begged altogether to disclaim any such intention, and distinctly to state that he had no wish to make any imputation whatever upon that noble Lord. He wished, also, to correct a mistake into which the hon. Gentleman had fallen, and which, he believed, he had been led into by what he had seen in some of the public journals rather than by what he had heard in that House—namely, that he (Sir J. Pakington) had stated that this question of the franchise was surrounded by "insuperable difficulties." Such a word as "insuperable" he had not used. What he stated was, that the arrivals from the Cape when the Connstitution came home in July last, showed that the subject was surrounded by "great and unexpected"—not by "insuperable" difficulties. The substance of all he had said on the occasion was, that by the Council which first took this subject into consideration, subsequently by the seceding members of that Council, and thirdly by the Commission which undertook the management of the subject—that in every one of these cases the franchise proposed was the occupancy of fixed property to the value of 25*l.* for the twelve preceding months; and the legal construction of that franchise had been, and was now, he believed, held to be, and justly held to be, that every Hottentot who occupied a hut, with adjacent land, provided the whole was worth 25*l.*, would enjoy the right to the franchise. It was so held in the Colony; and it was not only so held in the Colony, but, as he stated the other day, it was ultimately promulgated that this franchise had been adopted for the purpose of embracing the greater part, if not the whole, of the Hottentot population. He had further stated that when Earl Grey's Ordinance was sent out, instead of the franchise being the occupany of a hut and land together worth 25*l.*, it directed that the franchise should consist of buildings of that value. As to any imputation upon Earl Grey, he had made none further than this. His own belief was that the change might have been unintentional, nevertheless it was a very important change. The Colony was not aware of the difference when the Constitution was discussed last February. It was discussed under the idea and belief that it was a land franchise, and it was not until after the Amendments had been moved and carried that the difference between the franchise of huts and land, and the franchise of buildings alone, was discovered. He might add, that on this being discovered, the Gentleman who moved those Amendments remarked, "If we had only known this previously, we might have spared ourselves this trouble." All he had said, therefore, was that this discovery had been productive of considerable difficulty, and had involved the necessity, on the part of the Government, of using the utmost discretion before they decided ultimately what the franchise should be.

Sir CHARLES WOOD said, he did not understand the right hon. Baronet to have imputed to Earl Grey that he had done anything to mislead the Colony; though he did use words which might seem to bear that construction. What his hon. Friend the Member for Bury (Mr. F. Peel) meant to say was, that whatever franchise Earl Grey gave was the precise franchise mentioned in the Ordinance which had been sent home from the Cape, drawn up by the Attorney General for that Colony; therefore his hon. Friend did not understand how there could have been any misconception at the Cape. That Ordinance Earl Grey had copied. So far as the subject of the franchise was concerned, he (Sir C. Wood) did not say what that franchise was, but whatever it was, it came from the Cape to Earl Grey, and was sent back by him as he had received it, unaltered.

Subject dropped.

CALL OF THE HOUSE.

Sir JOSHUA WALMSLEY begged to move, for his hon. Friend the Member for Montrose (Mr. Hume), who was unavoidably absent, that the House be called over.

Order read; Motion made, and Question proposed, "That the House be now called over."

SIR ROBERT H. INGLIS said, that, without any disrespect to the hon. Gentleman who had just moved that the House be called over, and with less disrespect towards the hon. Gentleman upon whose behalf he made that Motion, he must appeal to the experience of every Gentleman present—of those, at least, who had personal experience upon the subject, and of many others who knew historically the proceedings of that House—whether the attempt to call over the House were generally successful—whether it were not a mere *brutum fulmen* to the absent, and a great waste of time to those who were present. Obviously he did not rise to speak on his own behalf, or of as large a House as almost any Gentleman ever remembered—he did not rise to speak on behalf of the 450 Gentlemen then present ready to answer to their names; but on behalf of other Members who had not only had no notice, but who from the nature of things could not have had such notice; for when was the notice for a call of the House carried? After post-hour on Friday last; and he believed it would be physically impossible, with all the aids of modern science which had been bestowed upon the transmission of intelligence, for a notice of a call of the House to reach many of those distant quarters of the Queen's European dominions in which many Members were at present. It was not that the hon. Member (Mr. Hume) had not as full a right as any other hon. Member to do this, but he was perfectly astonished when he saw in the name of the hon. Member for Montrose a Motion to this effect, because, if there were one hon. Member more than another who had sat in that House continuously, it was that hon. Gentleman; and, if that hon. Gentleman had been present—and he regretted the cause of his absence—he would have appealed to him, whether in one single instance a call of the House had ever been productive of any advantage. Suppose the hon. Gentleman brought the 654 Members of whom that House consisted into their places, could he compel any one of them—he would not say to express his opinion, for, happily, they did not want that expression from all at any rate, but—to give his vote? He might bring him to his seat, but the moment an hon. Gentleman had answered to his name, he might, if he were so advised, leave the House, and, except by another call of the House, the hon. Member could not compel his further attendance. Without, therefore, wasting more time of the House in attempting to induce the House not to waste further time in the prosecution of the present Motion, he should take the sense of the House upon it.

MR. COBDEN said, that although he could not admit that the reasons of the hon. Gentleman were altogether valid, yet there might be a good deal said on both sides. The hon. Gentleman stated that, although they were called on that evening to answer to their names, yet there was no power to compel them to vote the next day. That was perfectly true; but, assuming that there were any hon. Gentlemen who wished to evade voting, or wished to run away, for that was the intimation—the object of a call of the House, as he understood it, was, that they might do their best to show to the country whether Members were in a condition to be there or not—whether they were in health to be present—whether they had any paramount engagement to prevent their being there—whether they could satisfy their constituents that there was a reason or physical impediment to prevent their being in the House on the next, as well as on that day. He thought, therefore, there was not in the hon. Gentleman's argument that cogency which many hon. Gentlemen supposed; but he thought the Motion of his hon. Friend (Mr. Hume) might be said to be all but completely successful, for he believed that there were present forty or fifty Members who had not taken the oaths of the House before that day. Seeing the great number around the table that day, it was evident that the Motion had had its full effect; he would therefore put it to his hon. Friend (Sir J. Walmsley) who represented the hon. Member for Montrose upon this occasion, whether he would press the matter to a division?

MR. WALPOLE said, he was one of those who voted for a call of the House; because, when an hon. Gentleman in the position of the hon. Member for Montrose (Mr. Hume) thought an important question was to be brought before the House, which made it proper to obtain as large an attendance as possible, seeing that that Motion was proposed more or less against the Government, he (Mr. Walpole) thought it his duty to vote for the call; but he so entirely agreed in the observations of the hon. Member for the West Riding (Mr.

Cobden) that the Motion for the call had really answered its purpose, and would be perfectly satisfactory to the hon. Member for Montrose, that he ventured to say it would be convenient to the House if the Motion were not pressed. No object could then be gained by calling it over, but possibly some great inconvenience might arise to hon. Members too far distant to have notice of the call; and for that reason, among others, he hoped the hon. Gentleman would not press the Motion.

Lord JOHN RUSSELL said, he begged to express his concurrence in the observations of the right hon. Gentleman.

Sir JOSHUA WALMSLEY said, that in accordance with the wish of the House, he would withdraw the Motion.

Motion, by leave, *withdrawn:*—Order *discharged.*

LANDLORD AND TENANT (IRELAND).

Mr. NAPIER said, he rose to move for leave to introduce a series of measures, having for their object the adjustment of the relations between landlords and tenants in Ireland—namely, "A Bill to facilitate the Improvement of Landed Property in Ireland;" "A Bill to provide Compensation to Tenants for the improvement of their holdings in Ireland;" "A Bill to facilitate the making of beneficial Leases and Agreements for Compensation for improvement of Lands in Ireland;" and "A Bill to simplify, consolidate, and amend the existing Laws which regulate the relation of Landlord and Tenant in Ireland." When he considered the difficulty and importance of this great question—when he reflected on its bearing upon the interests of Ireland, on the spirit in which the measures he asked leave to introduce might be received by the people of Ireland themselves, and how great and eminent statesmen had touched this question with a trembling hand, and left it still unsettled, he honestly confessed that he approached the subject with the utmost diffidence, and must ask the House for its kind indulgence while he endeavoured to state his views upon it. At the outset he readily admitted that he was greatly indebted to those who had heretofore endeavoured to grapple with the subject; because, although, some wilfully, and others reluctantly, had abandoned it, yet he had been greatly assisted by their labours; but he must also be permitted to add that he conceived the difficulty surrounding the question had been very much enhanced by delay; for when concessions were to be made—provided they were just and wise concessions—the sooner they were made the better. For what had been the result of the delay that had taken place in the settlement of this question? In the first place, the pressure upon the agricultural interest of Ireland, the reality of which, however they might dispute about its causes, was denied by none. The effect of that pressure had naturally induced some persons to entertain the most extravagant expectations as to what legislation could do with the view of relieving them from their distress; and again it had enabled other persons to take advantage of the discontent of the people to inflame them against the laws, and to raise expectations which they did not honestly believe could be fulfilled. Now, if others acknowledged as the most competent had attempted to deal with this question, and had shrunk from it, it might perhaps be considered as presumptuous in him to suppose that he was able to do what was thus left undone. He did not now come forward for the purpose of catching transient applause; on the contrary, his sole desire was to propose something which was so obviously practicable that it would be likely to be carried through that House, and prove successful. It happened that shortly after he entered Parliament, Mr. Sharman Crawford had brought in one of his Bills before the House; and it was but just to say of that gentleman, in passing, that, although he differed from him on many of his views respecting this question, yet he did think it was owing very much to the perseverance with which he pressed the question on the public and the House, that it had now become a matter for Parliament to dispose of—that it had become the duty of the Legislature at length to settle the question for the peace and welfare of the country, and, therefore, it was that he had been led to prepare the measures he was about to propose. In the year 1848, Mr. Sharman Crawford brought the question before the late Parliament; and in 1849, he (Mr. Napier) heard from the lips of one who was now no more, but one who understood Ireland well—he had heard from the lips of the late Sir Robert Peel these words:—"I see every reason why Ireland, if her position in respect of tenure could be improved, should be most prosperous." In the opinion of that great statesman, therefore, the prosperity of Ireland depended upon the improvement of her tenure. Having had numerous communications with various persons in different parts of Ireland upon the subject, he (Mr. Napier) felt that it had become his bounden duty either to assist in the great object of effecting the settlement of the question, or to make the effort himself. Whilst the late Government were in office, therefore, he did what he could for that purpose; and he got two friends to prepare a complete digest of the existing state of the law in a clear and condensed form. When that statement was prepared, it was sent to many members of his own profession; and it had been commented upon in terms of the highest approval by one of the ablest lawyers in Ireland—a man well acquainted with the subject itself, and the father of the Irish bar—he meant Mr. Robert Holmes. Mr. Holmes wrote to Messrs. Vance and Ferguson:—

> "13th May, 1851.
>
> "Gentlemen: I have received the book which you were so kind as to send to me—your work on the 'Tenure and Improvement of Land in Ireland,' &c. I deferred acknowledging the gift until I could in some degree appreciate its value. I have now read it, and I consider it due both to you and myself to declare that I have derived from the perusal the greatest satisfaction and most useful information. It is a work which exhibits industry and research, professional knowledge and talent, judicious treatment and suggestion, practical good sense, temperate stricture, and benevolent purposes in an eminent degree, and a rare union of brevity and comprehensiveness, on one of the most important and interesting subjects which can in these times engage and fix the attention of every class in society, and which demands the prompt and decisive interference of the Legislature. That your valuable work may have the influence which it ought to have with those who possess the power of giving effect to its wise recommendations, is the sincere wish of, Gentlemen, your obliged and faithful servant, "ROBERT HOLMES."

Discussions afterwards took place in that House upon the subject, and in one of the debates the hon. Member for Cavan and the hon. Member for Middlesex suggested that some person professionally connected with Ireland should endeavour to settle this question. The Government of the noble Lord the Member for London (Lord John Russell) having paid great attention to this subject, at length brought in a measure with regard to it. The noble Lord was disappointed, however, in any expectation he might have formed of its giving satisfaction, and withdrew it. He said it with the greatest deference, but he must say this with regard to Ireland, that he had always thought it was a wrong policy to try and frame measures to catch any mere passing popularity—to please those whose province and interest it was not to be pleased with any measures that were proposed—but that, on the other hand, they should do that which they believed to be equitable and right, and trust that in the end what was based upon a sound and just principle would commend itself to the people, and that the good sense and judgment of the community would adopt that which careful deliberation had led them to propose. Now a code of laws, that was intended to regulate and adjust the relations between landlord and tenant in Ireland, must provide for the demands of the past, the requirements of the future, and the exigencies of the present transition state of that country. He might add, also, that a code of laws such as a British Parliament might be expected to pass affecting property, must keep within the great landmarks of property, and that no right of property universally acknowledged should be tampered with or violated. Moreover, the law should be made to harmonise with our commercial policy, as he (Mr. Napier) understood it now to be established, though he was somewhat surprised to find it was thought by the authors of that policy that the principle of free trade needed the protection of a declaration on the subject on the part of that House. What we had to deal with was the present existing state of Ireland: and, taking all circumstances into consideration, it seemed to him that the present was a peculiarly fitting opportunity for the settlement and adjustment of the relations subsisting between the owner and occupier of the soil in Ireland. Agricultural property there was so greatly rising in value, that according to the information he had lately received, a great competition existed for the land, and some sales had been effected at thirty years' purchase, and others at twenty-five. The prosperity of Ireland was not an isolated question; for with the prosperity of Ireland were bound up the security and strength of the United Kingdom. He did not wish to present her—he had never desired to see her coming forward—in the attitude and spirit of a mendicant, and he had always felt a glow of shame when he thought of the greatest nation in the world being placed side by side with a country which seemed to be at all in a mendicant state. Ireland had undoubtedly great resources, but he thought the first and material thing she required for her advancement and prosperity was security for life and protection for property; and those objects would be assisted by the enactment of really just and fair laws; and the next thing he thought she required at this moment was the adjustment of the long-vexed land question. Ireland was an agricultural country; they could not expect that manufactures or commerce would make great way there until there had been a large advance in agricultural improvement. The adjustment of the land question was therefore a great question for Ireland first, and secondly, for the British empire at large. The adjustment of the land question had relation not merely to present exigencies, but also to past difficulties. He had now, however, only to deal with that portion of the question which was connected with the law of landlord and tenant; and he believed that if they could but see life secure, property protected, and the land question equitably adjusted, an improved cultivation of the soil would follow, and they would witness among his countrymen more of mutual forbearance and of common co-operation for their common welfare. He should then have no fears for that country; Ireland must improve and grow largely in prosperity. With regard to that portion of the subject to which he had now to address himself in the adjustment of the land question, it was attended with two classes of difficulties, which ought to be considered separately for the purpose of understanding the nature of the remedies which it was proposed to apply to them. These were the permanent difficulties and the temporary difficulties. With respect to the permanent difficulties, they had heard numerous discussions and various theories as to what caused these permanent difficulties. One theorist would tell them that they were owing to the priests; another that they were caused by the parsons. One would attribute it to the landlords, another to the tenants. One would charge it upon the Government, and upon English legislation, another upon Irish neglect; whereas the truth was that all these several causes had contributed their quota towards producing the general result. But, for his own part, after carefully and attentively considering these various causes, he felt that there could be no question that the policy which had been adopted in earlier times, and had been since long pursued by England towards Ireland, had most severely aggravated the evils under which that country had suffered. The extent to which the system of tenure at will prevailed was not less an evil in the days of Elizabeth than in those of Victoria; and whoever read the pages of Sir John Davies would find that he had emphatically insisted that the application of the English land tenure to Ireland was essential to save the occupants of land in that country from the great and increasing misery, the prostration to which the uncertainty of their tenure in their holdings exposed them; and Edmund Spenser had written in exactly the same spirit; yet, up to the present time, the vast proportion of the land there was occupied by tenants-at-will, having no security whatever for their industry or their enterprise, and consequently in a position befitting the idle or the improvident man, but altogether unsuited to the honest and industrious cultivator. Often neglected by the absentee proprietor, ground down by the middleman, living—if living—from hand to mouth, utterly uncertain and insecure in his holding, the occupier of land lived wretchedly on the potato, and when the first storm arose—when the first calamity occurred at all beyond the ordinary condition—wholly foundered. In this way the whole structure of society had become vicious; and in a country where they ought to have had a well-organised state of society, they found that civilisation made small progress, that the people did not improve, and that difficulties and disasters were of periodic recurrence. The commercial policy of England towards her sister country had largely tended to produce this most unhappy result. In 1785 he found Mr. Pitt thus describing the effect of that policy upon Ireland:—

> "That which had been the system counteracted the kindness of Providence, and suspended the industry and enterprise of man. Ireland was put under such restraint that she was shut out from every species of commerce;—she was restrained from sending the produce of her own soil to foreign markets, and all correspondence with the colonies of Britain was prohibited to her, so that she could not derive their commodities but through the medium of Britain." [*Hansard, Parl. Hist.* xxv. 317.]

That the English system "had debarred Ireland from the use of her own resources, and made her subservient to the interests and the opulence of this country, without suffering her to share in the bounties of nature and in the industry of her citizens"—a system "which counteracted the kindness of Providence, and suspended the industry and enterprise of man." Again, also, in 1799, Mr. Pitt, speaking on the question of the Union, repeated the same sentiments, and declared that "Ireland had long felt the narrow policy of Great Britain, who, influenced by selfish motives, had treated her with partiality and neglect, and never looked on her prosperity as that of the Empire at large." What had been the result of that policy? Why, that Ireland, with her commercial and manufacturing growth thus stunted, had been compelled to remain a purely agricultural country, and, from the enormous and reckless competition for land which had hence arisen, a most vicious state of society had developed itself — of difficulties and misery among the occupiers of the soil, of incumbrances among its proprietors — a state of society most graphically described by the present Lord Chancellor of Ireland in his evidence before the Committee of 1824. A large proportion of the incumbrances and settlements on Irish estates dated their origin from the latter end of the last and the beginning of the present century; and were based, in a very material degree, upon a fictitious value of land arising out of the circumstances of the time, such as the infinite subdivision of the land, the undue competition, the system of subletting, and the artificial value of land and produce consequent on the state of prices before the conclusion of the war. But recent occurrences having stripped things of that false aspect which they had assumed at the period he referred to, the whole system was found to be rotten and unsound; and having been cleared away by the sufferings of the last few years, an open space was made for a new arrangement, which he hoped they would endeavour to aid him in turning to account for remedial purposes. There were various other matters connected with the country to which he might advert as explaining its position; such as the political influences brought to bear upon owners of property on the one side and the other. For instance, of the two parties in the country, one was corrupted and the other coerced, and all the evils arising out of this state of things were inherited by the landowners of the present day, who ought not to be blamed for the evils arising out of the vicious system that had been thus entailed upon them. At a subsequent period the intervention of Parliament was invoked to provide a remedy, and a series of Parliamentary Committees investigated the subject. A Committee of the House which sat in 1819 appeared to have arrived at the conviction that man in Ireland was a nuisance, and that the main question was how to get rid of many, and, therefore, amongst other remedies for the existing evils, they recommended emigration; and, again, in the years 1823 and 1827, other Committees recommended similar temporary remedies and nostrums. But he had perused a report from another source on the same subject, to which he would direct the attention of the House. It was a report emanating from some members of the Society of Friends. In the year 1827 the excellent Mrs. Fry and her brother, who had conceived a deep interest in the subject, visited Ireland; they examined every county, and made the most minute inquiries into every element of her condition; and the result was, that they prepared a kind of report on the subject for the Marquess of Wellesley, and a better state paper on Ireland never was produced. They stated that what they found in Ireland was a want of employment, a defective administration of justice, and a want of education, prevalent throughout the country; and they added, as a remarkable feature, that scarcely anything was made the most of, and that everywhere the country presented the spectacle of a fine and fruitful land with utterly inadequate cultivation. They expressed their conviction that, if sufficient cultivation was applied to the soil, by the adequate employment of the people, any failure of the potato crop—under existing circumstances so terrible a calamity—would be amply and most beneficially met by a regular supply of the more suitable and far more nutritious description of food, wheaten bread. They considered, they said, that employment would be a far better remedy for the distressed people of Ireland than emigration, although to a limited extent this latter remedy also might be useful; and they insisted, as a grand remedy, upon the effectual alteration of the system under which high nominal rents, low wages, and insecurity of tenure, afflicted the country; and they also recommended (for this was before the Relief Bill of 1829) the establishment of equality of civil rights, adding that the less distinctions of religion were insisted on in civil polity, the greater would be the probability of the establishment of a state of things leading to permanent tranquillity. Had the suggestions made by these able and benevolent persons been acted upon at the time, he would venture to say—not scrutinising the design of the Almighty in the dispensations which had befallen the country, nor causes over which men had no control—he would venture to say, humanly speaking, we should have been spared calamities which Ireland had in late years endured. In 1830—after emancipation, and when the Roman Catholic prelates of Ireland had published a manifesto that they had got all they desired, and that now all parties ought to unite for the common good of Ireland—another Committee sat on Irish affairs, which reported that one-fourth or one-fifth of the population of Ireland were out of employment, and that it was the imperative duty of the Government and of the Legislature to take into consideration the most effectual means of diminishing this amount of non-employment, of introducing into Ireland a sounder economical and social system, and of regulating on more rational and useful principles the relations between landlord and tenant. Nothing, however, was done. Another Committee sat a few years afterwards, who reported that there would absolutely not be a sufficiency of labour in Ireland if the soil were adequately cultivated, and recommended most emphatically that some measures should be adopted for giving tenants for life powers of leasing and charging the inheritance for permanent improvements. Still nothing was done. Mr. Crawford was at this time pressing his Bills in Parliament, but without result; but in 1843 Sir Robert Peel suggested that a Commission should be appointed, of respectable and well-informed persons, to inquire into the whole subject, to ascertain what precise differences there were between the tenures of England, of Scotland, and of Ireland, and maturely consider the result of those inquiries, and the steps which they appeared to suggest. Upon that Commission, at the head of which was Lord Devon, were his hon. and valued Colleague near him, also the hon. Member for Derry, the late Under Secretary and the present Under Secretary for Ireland. That Commission was appointed in February 1843, and made its report in 1845. He was aware that much obloquy had been cast upon that Commission, and many strong observations made upon the manner in which they were said to have taken their evidence; but he must point out that upon its appointment the late Sir Robert Peel said, that by it he did not intend to excite any expectations that there would be the slightest interference with property, the maintenance of the rights of property being the great characteristic of social improvement and progress of civilisation, and any attempt to interfere with it constituting the severest blow that could be given to industry and the accumulation of wealth. Accordingly, that Commission proceeded with its inquiry, subject to the conservation of the rights of property. There were 1,117 witnesses in all examined before it, of which number 117 were proprietors, 451 were farmers, 219 land-agents, and 44 were professional men. The Commission went through every county in Ireland, seeing with their own eyes, and hearing with their own ears. They were personally connected with every province in Ireland, some of them having property in every province. They were honourable men, and men well acquainted with the country. The views of such men, he conceived, furnished a basis on which Parliament might then have proceeded, and might still proceed, with security to all the just rights of property, and with satisfaction to all the just claims of industry. These gentlemen stated that the testimony was uniform as to the unimproved state of certain districts, as to the want of employment, the poverty and hardships of the agricultural population, and they recorded, as their decided opinion, that the agricultural improvement of Ireland was one of the first and most important steps towards the amelioration of the state of Ireland, and the establishment of its prosperity. They particularly and feelingly adverted to the condition of the unfortunate labourers, whom they described as being badly housed, badly fed, and badly paid for precarious labour; and they commended their patient endurance of their sufferings, as entitling them to the best attention of the Government. They recommended the allotment system, the repair of the cottages, and other measures for the amelioration of the labourer; and they spoke also of the impediments in the way of that agricultural improvement which would give employment to the labourer. But the labourers had no political influence; they were neglected, and the disasters which succeeded the failure of the potato were the result of that neglect, and formed a sore penalty on those who had neglected them. Among these impediments to the improvement of the soil, the Commission adverted to the small number of owners in fee in Ireland as compared with England, there being only 8,000 in Ireland, while there were 200,000 in England; and they spoke of the large amount of property locked up in the settlements to which he had adverted, and which resisted every attempt at improvement. It was while the resources of the country were thus shackled that the landowners and tenants of Ireland were called upon to run with others in the race of unrestricted competition. Whatever might be the opinions entertained as to the principle of unrestricted competition, its partial application must be more injurious than its complete and entire application. The effect of the encumbrances was to sever the rights and duties of proprietorship. The encumbrances were so great that the rental of the property now in the Encumbered Estates Court, if paid up punctually, would not amount to more than 5 per cent on the amount of the encumbrances. The result of such a state of things was, that the owners of these large properties, with a rental of nearly a million and a half, received nothing, and thus had all the duties but none of the rights of their property, whilst the encumbrancers possessed all the rights without being burdened with the performance of any of the duties. They were, for instance, exempted from contributing to the support of the poor, and even, in the case of augmented rates, the result of famine or distress, the nominal owner had to bear the whole burden. The Commission then proceeded to describe many of the remedies which were obvious, such as providing facilities for the sale of land, giving proper powers of leasing and charging for improvements, the encouragement of leases with moderate terms, the effecting of permanent improvements by the landlord, a Bill to provide a registry for agreements, and affording an opportunity for the tenant to improve where there was no express agreement; and they advised also that the Bank of Ireland should have the power, which the Bank of England possessed, of lending money on landed security, whereby a large amount of money would be released, and made available for the improvement of the soil; and also they suggested that permanent improvements should be done by the landlord, rather than by the tenant, adding that some legislative measure was necessary to give efficacy to agreements, and provide for cases which could not be otherwise settled. The measures which he (Mr. Napier) contemplated proposed to give facility for the employment of capital, and remove the restrictions upon the use of it; to enable leases of moderate terms to be made; to give efficacy to the agreements of parties, and also to deal with the cases of those parties who might not themselves have entered into express agreements. The Commission also provided for the registration of agreements, and in order to furnish opportunities for improvement, the landlord should be empowered to execute the improvements suggested by the tenant, charging 5 per cent on the outlay. Mr. Burke, in his *Essay on the Penal Laws*, noticed that improvements on the land in Ireland were not made in general by the landlords, whereas in England and Scotland they usually were. The Devon Commission also noticed the fact, observing, however, that from the number of small holdings in Ireland, it would be impracticable for the landlords to carry out that system as it was in England and Scotland, where the farms were generally large—of 50 or 100 acres or more—and furnished with buildings and other conveniences. The Committee on Receivers, of which he was Chairman, and of which Sir Robert Peel was a Member, investigated much on this subject, and the startling fact was then disclosed that nearly 2,000,000*l*. of the rental of the country was placed under receivers—a system under which everything that was bad in the habits of the population was fostered and encouraged. The result was most striking. There were millions of acres in the country uncultivated, millions of unemployed people in a state of the utmost wretchedness, and millions of money lying at a low and unproductive rate of interest, and in the Bank of Ireland a large capital unable to be advanced. Reverting to the state of Ireland, as set forth by the Devon Commission, it appeared from the report that in Ireland two-thirds of the population were agricultural, while in England there was only one-fourth—the produce per acre was one-half only of that in England. Let them not delay the remedy for such a state of things as he had described. There was also another report which had been lately issued by the Central Relief Committee of the Society of Friends, who had contributed so largely to relieve the recent distress of Ireland. From this admirable report, which gave the details of what they had done during that period in Ireland, it appeared that in that year of tremendous destitution, when all the world was sympathising with Ireland, there were places where ample means of relief which had been furnished could not be brought into operation from the faulty and vicious state of society which existed, and which furnished no agency to carry out the charitable intentions which these benevolent persons had in contemplation. All this surely called for some remedy, if legislation could by any possibility effect it. He (Mr. Napier) had applied his mind to endeavour, at least in some degree, to remedy the evils he had indicated—to enable improvements to be made by the cultivation of the soil and the employment of the people. Several measures had been tried for this purpose, and there were various models in existence which might have been resorted to to guide them to a proper choice of a remedy; there was the Montgomery Act of Scotland; the Act of 1845, the Landed Estates Improvement Act, passed by the Government of the late Sir Robert Peel; the Act of 1846, under which two millions of money were lent for drainage in Britain; and the Land Improvement Act, passed in the first year of the Government of the noble Lord opposite (Lord J. Russell), which had grown out of the Act of 1846. What had occurred to him was, that farming must now of necessity be placed under totally new conditions. It was admitted on all hands that farmers must, under the present system, be more educated men than hitherto—that they could not go on in the mere routine of ignorant cultivation. It was admitted that there must be industry, skill, and capital applied to the soil; and he found, too, that the effect of recent circumstances and recent policy had been very materially to alter the course of cultivation and produce in Ireland, and to alter it in such a way as might be ultimately beneficial. In the *Times* newspaper of September 5th, 1850, there had appeared a very striking article as to the altered conditions of the proprietor and the farmer. It described, that under the new state of things, the proprietor must merely be considered as a man possessing so much property, and that while, of course, he was bound to contribute his quota to the necessities of the country, no special burdens were to be cast upon him; at the same time, the farmer must become a man of more capital, more knowledge, and ready to avail himself of more skilful labourers, and of every new improvement, without all which it was impossible he could succeed. He remembered, too, that Sir Robert Peel, when he introduced his measures for a change in the commercial policy of the country, intimated his opinion that probably there would be a reduction of about one-third in prices of agricultural produce; and he added, that if there were any part of the United Kingdom that would suffer from that reduction, it would be Ireland, on account of its being an agricultural country. The right hon. Baronet had undoubtedly been quite right in the reason of that anticipation; and not only did he (the Attorney General) find it true as comparing Ireland with England, but on comparison of one part of Ireland with another. In Belfast, for example, where the commercial, manufacturing, and agricultural population were commingled—where there was an increased number of consumers, and facilities of markets, and of exportation and the like, the capital that accumulated there, and the busy activity of the whole neighbourhood, enabled them to bear up nobly and to get on prosperously. But, if he went to those parts of Ireland where there were no such facilities for communication with other districts having good markets—where there were no works of commercial enterprise going on—where the agricultural body was in a backward state —where the landlord had no capital, and the tenant was ignorant—it was very hard to call upon them to enter upon the race of unrestricted competition. It was the duty of Parliament, by wise legislation, to encourage them, to endeavour to alleviate the condition of those agriculturists, and stimulate their industry. Under the 9 & 10 *Vict.*, c. 101, two millions of money for England and Scotland, and one million for Ireland, were placed by the late Sir Robert Peel at the disposal of the Enclosure Commissioners and the Commissioners of Public Works, to issue as loans to landed proprietors for the purpose of improvement; and this in some degree, where it came into operation, enabled them to meet the altered circumstances. The people of Scotland speedily availed themselves of the advantage thus put at their disposal; but in Ireland, owing to their not having the money to make the advances in the first instance as required by the Act, they were unable to avail themselves of it; and it therefore became necessary, in the next Session of Parliament, under the Government of the noble Lord (Lord J. Russell) to pass a measure to give effect to the intentions of the Legislature. Accordingly one of the best and simplest Acts for Ireland was passed into law, and that Act he had taken as the basis of the first Bill which he now proposed—namely, the Land Improvement Act. The sum advanced altogether, under the law to which he had referred, was two millions sterling—namely, 1,500,000*l*. by the first Act, and afterwards 300,000*l*. and 200,000*l*. The amount of loans applied for under these Acts—principally for the purposes of drainage, and in some few cases for subsoiling and other works—was 4,082,591*l*.; and of this, 1,839,843*l*. were sanctioned, and 1,287,884*l*. actually issued. It was supposed by some persons that these loans were in reality gifts; but he could assure the House that England got back the money. He found by a return that the amount of rentcharge due under these Acts, to the 15th of November, 1852, was 190,151*l*.; and the amount paid on account of the same was 183,150*l*.; and the reason that the remainder had not been paid up was chiefly to be attributed to the circumstance that the officers entrusted with its collection had not given a proper attention to their duty. That showed the punctuality of payment on the part of those to whom the loans were advanced. The drainage which had been performed under this Act had contributed very much to the improvement of the country. It had, to a considerable extent, substituted for cereal crops, green and root crops, which particularly required thorough drainage, and it had led to the introduction into the country of the manufacture of tiles, which were now actually made in Ireland and carried into Scotland. Under this Act, indeed, the most important benefits had been conferred upon the country. There was one case which had come to his knowledge, of a gentleman whose estate was encumbered and who was entirely at the mercy of his creditors, but who got his creditors to consent to allow him to apply for a loan under this Act. The loan was obtained, and expended on the land under the inspection of the Board of Works. The result was, that the gentleman's tenants had been enabled to pay their rents without abatement, that they were now in a prosperous condition, that the gentleman himself and his property had both been saved, that he had now a surplus in his hands, and had been enabled to deal with his creditors like an honest man. There was also the case of a gentleman in the south of Ireland, who applied under this Act for a loan, and one of whose tenants was so opposed to drainage that he at first actually threatened him with an action at law if he attempted to drain any part of his farm. The gentleman, however, persevered with his improvements, and that very tenant had recently called upon and thanked him for what he had done, stating that the effect of the drainage was such that he had been enabled to pay his rent without difficulty, and that he was now contented and prosperous. That showed the resources of Ireland, if properly developed. In many instances the product of the soil had been nearly doubled by drainage. Money advanced, therefore, under the Act would be employed for the material good and general benefit of the country, and he begged the House to observe the collateral effects of the system. Every acre drained employed many labourers, and in several cases where the tenants had the land drained for them, the drainage was accepted in lieu of an abatement of the old rent; showing that it was considered equivalent to at least twenty per cent. If, then, by other modes of proceeding, drainage could be made accessible to tenants of all classes, as well as to proprietors, it would be a great boon to Ireland. He (Mr. Napier) was not there to ask money from Parliament for that purpose, though in his opinion such money would be usefully employed; but he was there to ask the House to agree to a measure which would enable tenants, as well as proprietors of land, private individuals as well as public bodies, to enter on a system of thorough drainage, by empowering them to do so by their private enterprise, if they had means of their own, or, if they were not able to provide the money themselves, to enable them to obtain it from private parties, and by giving facilities to the Bank of Ireland to make advances for that purpose. To effect this the cost would be made the first charge on the land; it would be, moreover, placed under the preliminary control and inspection of the Board of Works in that country. The mode in which it would be placed under that control and inspection was this: the party wishing to drain would have to send in a memorial to the Board containing a specification of the nature of the improvements proposed to be made, the value of those improvements, the return expected, and so forth. In every county of Ireland there were competent persons in connexion with the Board of Works—not paid officers, but persons acquainted with agriculture, and perfectly competent to decide upon the value and character of improvements of this nature. These persons would go at once to the spot with the memorial in their hand, and examine the lands and test the accuracy of the statement set forth in the memorial; and then, unless they should be of opinion that the projected improvements would increase the value of the land more than 6½ per cent, the application would be refused. The expense of this process would vary from *5s.* to 15*s.* per cent. If the application was acceded to, the money would be expended under the superintendence of the Board of Works, and the improvements to be made would be minutely marked upon the town-land maps of the valuation survey of Ireland. These maps would be preserved for future reference, and the means of registry would be by this means effectually furnished. Another important improvement under the existing Acts had been introduced by one of the Devon Commissioners—he alluded to the drainage of mountain pastures at a cheap rate. The working of that Act had given great satisfaction in Ireland. A proof of this was, that 2,000,000*l.* had been advanced for improvements, and 4,000,000*l.* had been applied for in the course of a few years. Power was given in the Act to the Commissioners of the Board of Works to adjudicate on the increased value of land, in cases where the landlord and tenant could not agree as to the increased value of the land consequent on the improvements; but it was a further proof of the value of the measure that only four applications had been made to them on the subject. In fact, the improvements had left no room for dispute. That Act had been made the basis of the Bill which he now asked leave to introduce. The difficulty in such cases was, first, how to distribute equitably the burden of the improvements between a tenant for life and his successors; and, second, how to adjust matters between the landlord and the tenant. A tenant for life might have only a partial enjoyment of any improvement he might make; and it was only just that those who came after him should pay their proportion of such improvements. What he proposed to do was this—he provided that the money so expended should be made payable in twenty-two yearly instalments, so that every tenant for life would pay exactly as much for the improvement as corresponded to the time during which he enjoyed the estate. This appeared to him to be a great improvement upon the Montgomery Act, which called upon the tenant for life to pay the whole charge in the first instance, and then to throw three-fourths of that charge upon his successor, for it might happen that the tenant for life might live long enough to exhaust the whole improvement himself. It was further provided that the money for these improvements might be obtained from the Bank of Ireland and other private sources, because, after the improvements were certified by the Board of Works, the certificates might be assigned to the parties advancing the money, which certificates would constitute a first charge upon the land. The effect of this would be to enable those who had money of their own, or who could get it from the Bank of Ireland, to carry out fully and fairly, in every part of Ireland, the system of drainage, and subsoiling, and those other improvements calculated to increase to a large extent the productiveness of the soil; to employ to an increased extent also the industry of the people; by so doing to diminish pauperism and the poor's rate, and advance the happiness and civilisation of the whole country. By means of a staff of great experience, the Board of Works would be enabled to give its supervision to these improvements, and in so far a great and beneficial object would be effected for Ireland. It was now quite certain that agriculture, as such, could not get on without green crops; but without draining, green crops, and particularly flax, which was a crop of the first importance to the industry of Ireland, could not be profitably raised; and drainage could not be undertaken in that country without a facility for obtaining advances of money being furnished. The flax raised in Ireland was not more than one-third of what was required for the present consumption of the country, and yet millions of acres were lying useless. By means of drainage, however, Ireland might not alone supply the wants of her own inhabitants, but also those of the inhabitants of other countries. Ireland would also find out, by the experience which these improvements would involve, the sort of cultivation that was best adapted to her soil and her resources; and so, by an interchange with other countries, would conduce to the general welfare of mankind. This Bill was framed for the purpose of promoting that object with the greatest ease; and he hoped, therefore, it would receive the support of the House.

The next measure to which he should come was one of very great importance—indeed he attached more importance to it himself than he did to any of the others.

He meant the Bill to facilitate the making of beneficial leases and agreements for compensation for improving land in Ireland. He found that in Ireland there existed somewhat about sixty statutes conferring special powers upon persons in the position of tenants for life, upon corporations, and public bodies—such as boards, governors of charities, &c.—to make leases for particular objects. Sometimes the tenant for life had the power of making leases of from three to fifteen acres; sometimes, in ecclesiastical tenures, the rector had the power of making a lease for a year, a bishop for twenty-one years, and so on. The Bill he proposed to introduce recognised the principle as laid down by the Devon Commission, and by a Committee of that House that sat in 1848—that a person having a limited interest in an estate should have the power of leasing the land to the best advantage: it reduced the powers under one uniform principle; and by so doing simplified the process of their application. The Montgomery Act, passed for Scotland in the reign of George III., recognised these powers, though in a limited form; but other Acts had been passed since for that country, expanding the principle, and enabling parties to grant leases for proper terms on certain specified conditions. In the present circumstances of Ireland it was highly desirable to carry out the cultivation of the soil in all its forms to the fullest extent possible; it would be far better to arrange at the beginning of a tenure the question of outlay and expenses, than to leave it for a scramble at the end. In Scotland the tenant obtained leases of 19, 31, and even 99 years. What he wished was to carry out the principle in Ireland. He was of opinion that, as they applied the principle of free trade to the produce of land, it had become imperative upon the Legislature to remove restraints upon the use of the land itself. In the Bill before the House he had specified the classes—including all the parties, corporations or governors of charities—tenants for life, and those who exercised special powers in connexion with the land; and what he wanted to accomplish was this, that, although he quite approved of the proper use of landed property for family purposes, yet he desired that those purposes should be carried out in a manner consistent with the beneficial cultivation of the soil. Instead, then, of having a large number of inconsistent and anomalous statutes on the subject of leases, and of the inconsistency of regulating the term by the character of the depository of the power, to regulate the term of the lease by the uses to which the land was to be applied, and the nature and object of the improvements. Thus, for agricultural purposes, it was proposed to grant leases for 31 years; for the improvement of waste lands, leases of 61 years; for the working of mines, leases for 41 years; for private buildings, leases for 99 years; and for public edifices and public purposes generally, leases of 999 years. The necessity of the latter tenure was proved by an instance which had come to his knowledge of two model agricultural schools and farms having to be abandoned in parts of Ireland where, perhaps, of all others it was most required, because the promoters of the plan could not obtain leases long enough for the purpose. What he wanted was not an ignorant and impoverished agricultural population in that country, but a people both educated and employed. The tenant for life was now prevented from making a lease, except for the brief periods and for the special purposes stated, by want of power. That power, however, was proposed to be conferred by the Bill; for it stood to reason that the parties enjoying the tenancy for life should also possess the power of doing all that was needful—consistent with the strict observance of the honest purposes of family settlements—for the improvement of the property, and for the general good of the community. To all those persons and corporations particularised it was proposed to give the power of making such leases, for the purposes stated. There were other provisions in the Bill, setting forth special cases for leases, with such clauses as were best calculated to carry out the objects in view. The terms of such leases were accordingly set out in the Bill—whether for agricultural leases, or for other purposes—to save the trouble and expense and risk of tedious covenants set forth in each particular lease. One clause in the measure, however, might, he was bound to admit, be deemed open to discussion—namely, that which proposed to enable parties to agricultural leases to make the question of rent a subject of variation, according to the value in the general valuation survey of Ireland. His reason for adopting this was confirmed by a communication sent to him by the Lord Lieutenant of Ireland—a nobleman who took the deepest interest in everything that concerned the prosperity of that country—referring to a remarkable case in Scotland, the particulars of which that noble Lord had been furnished with by a gentleman in connexion with the transaction. Being himself connected with the working of the Montgomery Act in Scotland, Lord Eglinton had supplied him with this case as an illustration of the mode in which property had been improved in that country, and as a lesson for Ireland. It referred to an estate in Scotland, which consisted of 1,170 acres, and which was divided into twelve farms or tenancies. The tenants had been tenants at will, and after the Act of 1819 regulating the currency, in common with several tenants in Scotland they had fallen into arrear with their rents. In 1826 a gentleman—the gentleman who furnished the statement to Lord Eglinton—was asked to take charge of the property in question, but he declined to do so as the tenantry were so poor and so much in arrear. In 1830, however, it was again pressed on him, and he then consented to try the management on condition that the tenants were got to take leases. It was, therefore, arranged that the tenants should take leases for a term of sixteen years, the rent to be regulated every four years by the prices of produce; and the leases were taken accordingly in 1832. They were then induced to join with the landlord in tile-drainage, he contributing 3,349*l*., they contributing, as their quota, to the extent of 2,255*l*. The rent for the years from 1843 to 1848 was settled at 1,715*l*. 7*s*. 4*d*.; in 1848 the leases expired, and they were, as is the custom in Scotland, to be then set up to public competition. But all the old tenants again took their former holdings, though the property had been revalued at the prices of produce in 1848, 1847, 1846, and 1845, and though the rent had, notwithstanding, been increased 24 per cent, being then 2,121*l*. And further, during the last fifteen years of their tenancy under these conditions, their rent was not, in the case even of a single tenant, a single day, or a shilling, in arrear. When the draining commenced, this gentleman proposed that a committee of tenants should decide what period ought to remunerate for the improvement; and it was unanimously agreed on by them that five years would be sufficient and satisfactory from the sinking of the drains. In 1848, therefore, those tenants who had been in arrear in 1832, were in comfortable circumstances, and their rents paid to the last farthing; and, moreover, they resumed their tenancy at a rise of 24 per cent on the former rent of the estate. The fact was, that by the co-operation of the landlord and tenant, in attending to the due cultivation of the soil, both parties benefited; there was no scrambling, confusion, or recrimination; and this state of things was brought about by a sensible and just agent, who appreciated the capabilities of the property, and who resorted to those means of improvement which were the means which God would ever bless, namely, the industry and virtue of the people. The gentleman who sent this statement to Lord Eglinton had said that he could not see why a similar result should not be produced in Ireland. He did not see it either, if, as that gentleman said, they only laid themselves to it. Some parts of Ireland were, no doubt, peculiarly situated as respected the introduction of improvements; but in most places the greatest natural facilities existed; and if all parties co-operated, he could not see why success should not equally crown their efforts. By enabling the landlord, when tenant for life, to grant beneficial leases and regulate the rent by the prices of produce, it might be effected. This was a simple and intelligible view, and perfectly comprehensible to all parties. The experience of this Scotch case was, therefore, a good lesson, of which he felt he ought to avail himself. There was, however, another curious fact which had forced itself also on his attention in connexion with this question. In the examination of the Rev. Mr. O'Sullivan before the Lords' Committee in 1825, it was stated that there was one townland of the county Tipperary from which there had not been a single inhabitant brought under the provisions of the Insurrection Acts, and that in this townland the rent had always been regulated by the prices of produce. It was these facts that had induced him to continue this clause, which he hoped would be found one not the least beneficial of the Bill. With regard to drainage in Ireland—especially drainage with subsoiling—it was very difficult to settle the compensation, as it was not easy to ascertain what subsoiling had been done, unless a man was on the spot watching its progress; but when the landlord and the tenant joined together for that purpose, it could be done cheaply, it could be done effectively, it could be done without contest, and would be of the greatest advantage to the country as the means of pulverising the soil and increasing the quantity of produce as well as the quality. There were other provisions in the Bill with respect to leases under powers; but to show the injurious operation of the former law, he would merely quote one instance. In the town of Ballycastle, in Antrim, the tenants took leases under trustees, for lives renewable for ever. These leases were only executed by one of the trustees of the estate, the other trustee not being in the country; but the agent for the property was so well known that the tenants reposed the utmost confidence in him. Some of the tenants spent from 700*l.* to 800*l.* upon solid buildings and other improvements. Subsequently the estate came under the jurisdiction of the Court of Chancery, as the property of a lunatic, and then it was discovered that one trustee had not executed the leases. On reference to the Master, the Court of Chancery held these leases, therefore, to be invalid, and an action of ejectment was accordingly brought against the tenants. The Solicitor General for Ireland and himself were of counsel for the tenants, and they succeeded in defeating the ejectment by a point of law—at least of locking it up in Chancery; but the unfortunate tenants were within an ace of losing their property. The provision he proposed in the Bill to meet such cases would amply provide that such *bonâ fide* leases, would be perfectly valid as regarded the tenants. There were other provisions, also, of a remedial nature; and then came a second class of provisions, having for their object to enable parties empowered to grant leases, to make agreements for improvements on the lands which might be already in lease. He believed hon. Gentlemen connected with Ireland would bear him out when he said that there were several towns in that country where, by reason of the defective powers relating to leasing, improvements could not go forward. He had known places where extensive manufactories would have been established only that by reason of the property being in tenants for life, they could not sufficiently demise it for such purposes. One case he knew of, in which a person who desired to build a factory close by a turf-bog, because of the supply of fuel, could not do so in consequence of the tenant for life being empowered to grant him only three acres of land, which were wholly inadequate for his purpose. The result was that he went to another neighbourhood, and there established his manufactory. As things stood, the effect of this was to lock up the resources of the country, without doing a particle of good to any person. The provisions of the Bill would give power to persons, empowered already to grant leases, to make beneficial leases, and to make collateral agreements for purposes connected with the improvement of the country. The improvements contemplated were the cultivation of waste lands, the formation of farm roads, thorough draining, irrigation, the removal of rocks and stones, the erection of boundary fences and internal fences, enclosing not less than ten acres, and other improvements of that nature; and he held that the Legislature was bound to fix a certain number of years for the periods applicable to each of these classes of improvements. In order to do this, he had fixed a certain number of years as what he would call compensation periods; because, he believed, experience had shown that within a certain period of time the tenant making an outlay for improvements was compensated for that outlay. He did not propose to take a short period; but in places where the tenants had the advantage of skill and ability they would gain a quicker return than those who were, as he might call them, unlearned. Accordingly he had in the Act inserted provisions by which these special matters were to be regulated. Thus he expected persons would be enabled to make beneficial leases, and enter into specific agreements for any particular class of improvements. Nothing was more desirable than to have means at hand by which mutual agreements could be made and enforced. It was most important in such a case that there should be a connexion between the landlord and tenant, for, if they were placed in collision, an injury was inflicted upon the whole community. The great object of the Legislature ought to be to promote, as far as possible, their common welfare, by showing them that they had a common interest. The Bill would provide for a decree and an appeal to the Judges of Assize when parties were dissatisfied, for there was a power of recovering compensation in case the tenant was dispossessed before the expiration of the period during which he ought to enjoy the land, in order to reap the benefit of his improvements. It might be said that it was a very hard case to make the tenant for life pay the whole compensation, and that he ought to have some contribution from those who succeeded him in the possession of the property. The tenant for life, however, had the alternative of not disturbing the possession of his tenant. If, then, the tenant was allowed to remain in possession during a period which would compensate him for the particular class of improvements he might have made, he had no ground of complaint; and if the tenant so remaining in possession paid his rent the landlord could not complain. He (Mr. Napier), therefore, thought the sound principle was to say to the tenant for life, "Don't you attempt the injustice of dispossessing a man who has made improvements before the period has elapsed during which he may get compensation; but if you do dispossess him, you are bound to compensate him yourself." If, however, the tenant did not pay his rent, it was manifestly unjust to allow him to retain possession of the property; and in such case no claim for compensation would be allowed. But when a tenant was dispossessed under circumstances he had no reason to anticipate, then he was to have compensation. If he abided by his contract, paid his rent, and made improvements, he would be secured by the proposed law, and the contract could be carried out. With respect to a power of setting-off for exhaustion of the land, a tenant would receive full compensation for real improvements, but against that compensation a set-off would be open for exhaustion and bad cultivation of the land. Every protection was given to the tenant for so much as he had expended in improvements, and the provisions for that purpose would be found to have been drawn up with the greatest care, and with the view to do substantial justice to all classes of tenants and landlords—but he would candidly say that his sympathies went much more with an industrious tenant than with an improvident landlord. He regarded the industrious tenantry as a class of men entitled to every consideration, and who ought to receive every protection that could be afforded them by legislation; and he had endeavoured to protect them, as far as was consistent with justice and the rights of property. He hoped that by removing restrictions upon the beneficial cultivation and enjoyment of the land, the tenant would be enabled to make improvements by contract and agreement—they would secure to the tenants full legal protection—that they would give to the tenants every shelter and security the law could give them, while at the same time the just rights attached to property were fully secured to the landlords. He had now disposed of two Bills, the first of which enabled proprietors to improve their land; and the other enabled them to make beneficial leases and agreements with tenants for the profitable cultivation of the land. In framing these Acts he had endeavoured to create a machinery which in its working would be found to promote the best interests of Ireland. With respect to the case of mortgagors, powers were given to enable persons in possession to make leases and agreements—a step which, while it would preserve the necessary safeguards for every creditor, would increase the value of the heritable estate, and would remove impediments to proper cultivation. He would now refer to the admirable report of the Society of Friends, in which two things were recommended—the freedom of making contracts, and facilities for enforcing them. This led him to submit the next measure he had to offer to the consideration of the House—a Bill for consolidating, simplifying, and amending the existing laws which regulate the relation of landlord and tenant in Ireland so as to enable those who had made contracts to secure their enforcement. This Bill stated as its basis, that the relation of landlord and tentant should rest on contract. At the present time a struggle was going on between the old feudal principle and the commercial spirit of the nation; and the question which arose was, was the old strict system of feudal rights to continue, or were contracts to be founded on principles more consonant to justice and to common sense? It was the object of the present measures to meet the difficulty. Contracts, indeed, might be express stipulations, or of such a nature as would grow out of the relations of parties. He thought it the duty of the Legislature to make a sort of model contract, to state what contracts ought to be, and to make provisions for enforcing contracts according to the exigencies of the case. He knew it would be said that such contracts could not be very well made in Ireland, because, with regard to land, parties were not on equal terms. He admitted that where undue competition existed for land, there were more than ordinary difficulties in the case. Nothing, in his opinion, was more calculated to increase this kind of competition than that of leaving parties to suppose, that though convenient to make an offer, they should never be obliged to abide by the terms. The surest way to cure the mischief flowing from such a state of things, was to have a law that contracts for land could be enforced against both parties — there was no other law which would tend so much to promote among the people of Ireland punctuality, honesty, and morality. The endeavour had been made to carry out the second view expressed in the admirable report of the Society of Funds—namely, after making provision for perfect freedom of contract in agreements between landlord (and tenant), to provide facilities for carrying these agreements into execution. By the new Bills he had disposed of about 200 statutes; and thus the whole subject having been brought to a focus, it was hoped the law would work in a beneficial way. After going into Committee, it was intended to schedule all the old Acts, and parties would find in the new Acts all the information they could require as to their respective rights. With respect to the law of assignment, that was dealt with in the Bills; and with regard to subletting, that question was also considered. As to the subdivision of land, one of the greatest evils under which Ireland laboured, that was duly provided for. There could be no doubt of the old system being in a state of change. Small holdings or farms were found not to answer, and very great changes had occurred in this respect of late years. In the year 1841, the number of farms from 1 to 5 acres was 310,375. In 1851 the same class of farms numbered only 88,083; showing a reduction of 222,000 of this amount. In 1841 the class of farms from 5 to 15 acres numbered 252,758. In 1851 the number was 191,854, a reduction of upwards of 60,900. In 1841 the number of farms from 15 to 30 acres was 79,838. In 1851 the number had increased to 141,311. In 1841 the number of farms of 30 acres and upwards was 48,623, and in 1851 the same class of farms had increased to 149,093. It appeared, in truth, that of the small holdings under 15 acres one-half were gone. This was sufficient evidence of the change which was going on; but, at the same time, there was another circumstance which he could not speak or think of without deep and solemn concern, that with the small holdings the small holders had gone too—that nearly a million and a half of the people were swept away. It was indispensable that the subletting evil should be cured, otherwise drainage could not be carried out. Provision was made in the Bill for a local register of deeds; and the rights and reservations connected with mines and forests were condensed. Provisions were also made with respect to the waste or burning of land: the great object of the present Bills was not to punish, but to prevent the mischief. The practice of burning was so injurious, that in Roscommon, where such a process had taken place, the land had been deteriorated in value very considerably compared with adjacent land of equal quality. In the new measures power was given, by application to a magistrate, to stop this mischief. Formerly punishment was inflicted after the injury was done, but by the new law it was competent for parties, if they suspected injury by waste or burning was about to be done, to apply to a magistrate, who was empowered to issue a stop order. If, however, it should turn out that the tenant thought he was by such order prevented from doing that which he had a right to do, and was justified in doing, then the tenant was empowered to apply either to the assistant barrister, if in the county, or to a Judge of Assize, or to a Superior Court, to have the magistrate's order annulled. The present law, which required that a party aggrieved should go to a Court of Equity for the purpose of getting an order to stay waste, did not prevent waste from going on while the application was in progress. That difficulty would be obviated when a landlord was entitled to have a stop order, and the provision of the Bill on that subject would, he thought, be found useful and valuable. As to the duty of tenants to repair, that question was considered, as also was the question of the condition of the labouring classes. It was expedient, in order to effect improvement in the condition of the labouring classes, that they should have decent cottages and small allotments. Formerly the labouring classes were under the control of the grinding middleman—2,000,000 of people were in the condition of mere nests of insects, which the middleman chose to assume the right to trample upon. It was necessary that proprietors should now look after their labourers, and see that they had cottages so constructed as that they might live in a room different to that tenanted by the pig or cow. He was delighted to state that several landed proprietors had taken a great interest in the improvement of the comforts and the elevation of the Irish labouring classes, and had followed out the recommendations of the Devon Commission. In order to induce landlords to pay attention to this subject, it was proposed to deprive the landlords of the power of recovering rent if proved that they neglected to repair a certain class of cottages. Summary power was however given to get possession, when the labourer was dismissed. Then there were provisions with respect to rent. When it occurred that parties violated the conditions of their lease, instead of, as before, going for redress to the Superior Courts, it was proposed to give a remedy by a simple plaint, by way of civil bill. It was provided that the receipt for rent should specify the gale for which the rent was paid; or, if not, that the rent should be considered as paid for the gale which was due on the last gale day. The real contest between the landlord and tenant related, generally speaking, to what was the state of the recent account; and when that was adjusted the other questions in dispute were easily settled; but by the provisions he had inserted parties would be enabled to go to a court of justice and get a settlement cheaply and speedily. As to the law of set-off, that should be the same as for any other debt. With respect to the law of distress, there was great difference of opinion before the Devon Commission about it. Many thought it not wise to abolish the law of distress; but in Ireland that law, from the peculiar circumstances of the country, had been attended with great abuses and great hardship. In some cases it was difficult for the landlord to use any other remedy than the law of distress for his rent; but though he had devoted the best ability he possessed to the framing of clauses, it would be presumptuous in him to expect, where interests so large and so various were involved, that he had satisfied all parties. But he could assure the House that it was in no party spirit the measures had been framed—that he had been anxious only to do justice to all parties; and he invited suggestions from every quarter, and every suggestion calculated to make the measure more equitable and practicable—come from what quarter it might—should have full consideration. With respect, then, to this remedy for rent, what was proposed was this:—but, first, he should remind the House, that with respect to the present law of distress, a landlord could distrain for six years' rent. Nothing could be more unmerciful towards a tenant than for a landlord to allow the rent to run on for such a period. If tenants got into arrear, then litigation ensued—vast expense was incurred—the relations between tenant and landlord were permanently soured, and both parties were set against each other, to their mutual injury. To do away with this state of things, it was proposed to limit the right of distress so that no distress should be made in virtue of any warrant for arrears of rent due more than a year and a half from the date of the warrant; and that no distress should be made for a sum less than *5l.* Parties, on making an affidavit of the amount of rent due—which was not to be less than the specified sum—might get a special warrant, but that warrant would not enable him to recover more than the rent of one year and a half. When there was a dispute whether the rent was due or not, the fact would be ascertained without the necessity of encountering the tedious and vexatious procedure, from which advantage was scarcely ever derived. There was no doubt it did no service to a tenant to afford facilities to evade a distress; but if the Legislature considered it right to give the tenant power to make a contract with his landlord, it must give the necessary powers to enforce that contract, though they could not by Act of Parliament make either good landlords or honest tenants. Supposing the law of distress he now proposed should be adopted, he next provided easier proceedings in ejectment, by which that remedy would be much simplified. Constant confusion had arisen as to the parties entitled to receive notice of ejectment. He proposed that all parties in actual possession and all such other parties as had availed themselves of the local registry of leases, should have the right to be served with such notice. He had abolished all those fictions which were remnants of feudal times, and had adopted a system consistent with the advanced state of civilisation. Every day, as society improved, as education advanced, and as public opinion was brought more and more to bear upon the laws of the land, that rule of simplification would, and ought to, become more and more adapted to the growing exigencies of the country. Then, again, there were provisions applicable to deserted tenancies. It often happened that tenants abandoned their land and went off to America. It was hard upon the landlord, under these circumstances, that he should not be able to regain easy possession of his property. He had introduced a provision to give the landlord an easy remedy in that case. Sometimes it happened that when a tenancy was at an end, and a writ of possession executed, the tenant forcibly came back again. The present form by which he could be punished was antiquated and operose. A provision to meet this evil had likewise been introduced. He had now gone through, as briefly as the nature of the question would admit, the whole of the case relating to the making of leases and agreements for improvements of land in Ireland, and the mode of enforcing them; and he hoped that the Bills he proposed to introduce would constitute a complete code upon that subject. He again begged to acknowledge the great assistance he had derived from the friends whose names he had already mentioned, and he hoped the scheme would facilitate the combined efforts of both landlords and tenants for the improvement of the land and the employment of the people.

He now came to his fourth and last measure, which was a Bill to provide for compensation to tenants, in the absence of express contract. If they had only to deal with the future, he could rest satisfied with the three Bills the provisions of which he had already explained to the House. But they had to deal with a vast number of tenants who held from year to year, especially in the north of Ireland, who had made improvements on the land. The claims of those persons required attentive consideration. It was not his intention to interfere with or to prejudice the tenant-right which prevailed in Ulster. It was not considered judicious to do so; in fact, with regard to the tenant-right of Ulster, it was not capable of being reduced to a fixed law, because the right was varying in its practice. There was nothing, in fact, to prevent any landlord in any part of Ireland from introducing the same practice that prevailed in the north of Ireland. It was a mode of dealing which had grown up from the necessity of the case, such as the existence of small farms, and the habit of landlords not to make the improvements. The tenants, therefore, improved the land themselves; and it was only just to consider whether those tenants could not have the benefit of those improvements also secured to them by some legal enactment. Preceding Governments had attempted to deal with that part of the law of landlord and tenant. A Bill on the subject was committed to the charge of the noble Earl now at the head of the Government, when he was Secretary for the Colonies in 1845, which was read a second time, and referred to a Select Committee. After going through the Select Committee the objections made to it were left for the consideration of the Government, and the Bill was then dropped. In the next Session another edition of the Bill was introduced by Lord Lincoln, and by the right hon. Baronet the Member for Carlisle (Sir James Graham). Both those Bills dealt only with the question of compensation to the tenant; and while they differed from each other in the mode of ascertaining that point, they agreed in this, that they were both prospective. The second Bill was not passed. In 1848 the late Government introduced a Bill upon the same subject, which was referred to a Select Committee, where it underwent considerable discussion, and it was again introduced in 1850. Now, having been a Member of that Committee, looking at the provisions of those several Bills, and considering that they emanated from different sections of the House, and having also heard the discussions in Parliament upon that question, he thought he could pretty fairly estimate what was the extent to which Parliament would go upon the subject. He adverted to these circumstances for this reason, that he would candidly and honestly avow he was himself willing to go to the utmost extent consistent with the just rights of property, to secure the greatest advantage to the industrious tenants, and to give them a fair and legal security for what they conceived to be covered and secured to them by a moral obligation. But the condition in which he (Mr. Napier) stood in that House was different from that in which hon. Gentlemen on the opposite side were placed. They might propose what might appear to be useful to themselves as a means of gaining popularity, but he was bound to propose what he considered practicable. He felt he was bound in this matter—officially bound—to protect all the rights of property, and not to propose anything which he believed contrary to those rights. Knowing, therefore, the feeling of the House of Commons on the question, he felt that he ought not to peril an equitable measure by endeavouring to propose what he knew would not be carried, nor to introduce such clauses as would tend rather to obstruct than to promote useful legislation. He had stated that that Bill did not interfere with the tenant-right of Ulster; but he thought that it honestly carried out the view of the Devon Commission, because it did not interfere with the just rights of landlords, nor did it interpose any difficulty in the way of the tenants. Where the parties did not choose to make their own agreement, he proposed to enable the tenant—if the landlord would not stir in the first instance—to make improvements beneficially connected with the soil, and to propose, on his part, that he would execute them. It enabled the landlord, however, to make himself the execution of these improvements, on the report of the Board of Works, as proposed by his first Bill, and thus to supersede the necessity of the tenant undertaking them. He knew that a strong feeling prevailed in England on this point, that tenants from year to year ought not to have the power of forcing improvements on their landlords. But when it was considered that the Devon Commission had recommended such a concession—that on two occasions Bills had been introduced embodying that principle—one of them by the noble Earl at the head of the Government, and another which had only been stopped by the then Government going out of office; namely, that in Ireland, where the landlord had the option of taking upon himself the making of the improvements, the tenant should, in case the landlord refused, make the improvements himself, always giving to the landlord the security of an inspection by the Board of Works, he did not think that there was any good ground for the landlord to complain of this provision of his Bill. The landlord having the opportunity of either making the improvements himself, or of inspecting those made by the tenant, furnished a basis for compensation to the tenant for the improvements so made by him. There were provisions in the Bill prescribing the mode of ascertaining the amount of compensation, which, consisting of details, would be better explained in Committee. As to the immediate effect of this measure, he would not venture to make any prophecy, though his own opinion was, that perhaps the power thus given to the tenant might, in some cases, be abused; but, finally, his belief was, that the tenants would come in under agreements with their landlords in accordance with the second Bill he had explained to the House, and that the result would be most advantageous to both parties; that additional inducement would be given for the improvement of the soil, and great advancement in the general system of cultivation in Ireland. He now came to a part of the Bill which had given rise to a great deal of controversy; and that was with regard to what was called the retrospective clauses of the Bill. On the one hand it was said that, if a tenant had done that which a good tenant ought to do, in beneficially cultivating the land, or making other improvements for farming purposes before the passing of the Bill, he ought to be compensated for them. On the other hand, it was said that if they once admitted retrospective legislation on this point, they could not know what consequences would follow. The subject was one which he had most anxiously considered, and having weighed every argument with the greatest care, he confessed he had come to the conclusion that retrospective improvements ought to be provided for. He thought so, inasmuch as it was confined to that class of improvements specified under the Lands Improvements Act, which landlords had been able to make by means of loans of public money, which showed that they were of importance as connected with the beneficial cultivation of the soil, and of immense importance as regarded the welfare of the population. At various periods the people of Ireland had been visited by famine, from the failure of the potato crop and other causes—famines of which he hoped they might never witness a repetition; but it was only by using the just and available means which God had put in their power, that they could hope to avert them, and to advance the civilisation of the people. He thought, therefore, that where a tenant had made such improvement, he should be secured in possession for a compensating period as if he had got, at the time of beginning to make these improvements, a lease to cover such a period. After coming to that conclusion, he had been greatly fortified in it by what he had found in the Poor Law Act of 1849—one clause of which, after reciting the importance of encouraging such improvements, went on to direct the valuator not to include in his valuation any of those agricultural improvements specified in the Land Improvement Act, which had been made seven years before the time of valuation. In the General Land Valuation Act a similar clause was introduced. The Bill of 1850 confined the retrospective clause to cases in which the property was under the value of 10*l.* But he could see no principle upon which a property worth 20*l.* should be placed in a worse condition than a property of 10*l.* The fact showed that in the opinion of the Legislature it was quite possible to ascertain when and what improvements had been made, and it further showed that the law was necessary for the purpose of justice, and was founded upon grounds of policy. In his humble judgment, the tenant was entitled to compensation (if ejected on the title) for the period not yet expired, and he had accordingly introduced provisions to carry out that principle, guarded so as fully to secure the rights of both parties. Another case had been forcibly put with respect to improvements made at a time when prices were so high that the tenant was enabled to pay a higher rent; and it was said that the tenant should have the power of surrendering his farm whenever he pleased, and of then forcing compensation from the landlord for the unexpired period of his tenure; but, with every desire to favour the honest and industrious occupier, he must say he could not reconcile such a demand with the great principle of the rights of property on which all civilised society must ultimately rest. It seemed to him that any attempt to carry out this proposal by legislative enactment, which he could not see his way at all clearly to do, must interfere with the adjustment of rent between landlord and tenant which it was so desirable to leave to mutual contract. It was true that in the working out of these relations there were evils to be found which were inseparable from all general systems, but they were evils which he did not think the Legislature could rectify by stepping in further between the owners and occupiers of the land. If, however, he had failed in providing a remedy for any particular evil which might be removed, and if any hon. Member thought he had not done full justice in any special case, he would be delighted to give his most candid and careful consideration to any clause that might be framed to remove these imperfections, and to recommend it to the House, should he think it deserving of support. If he thought he could not introduce such clauses, of course those hon. Gentlemen who suggested and framed them would be at liberty to lay their propositions before the House. But when he found Mr. Sharman Crawford declaring before the Devon Commission, stating that the great object which he had in view was to secure practically a continuance of possession to the improving tenant; and in answer to a question put to him, that he was of opinion the adjustment of rent was a thing which could not be done by any compulsory enactment; and when he found the hon. Member for the county of Cork, in a pamphlet he wrote on the land question, stating that he looked on compulsory legislation on such a subject as a delusion of a most mischievous description, he quite agreed with them, believing, as he did, that these were cases in which the Legislature could not advantageously interfere. He had done as much as could be done, so far as he could see, to protect and secure the tenant; but he could not approve of a law to enable the tenant to compel compensation from the landlord by surrendering his farm when he pleased. He had endeavoured to encourage the tenant to continue his improvements to the end of his term, and not, as was too often the case, carry them on for a short time and then withdraw; and it would be seen that the regulations for the outgoing tenant had been framed with that view. The law of emblements was rendered a little more liberal than it was made in the law of 1851, and some alterations had also been made in respect to fixtures. The remaining parts of the Bill referred to the procedure in civil-bill courts, and to the conditions under which compensation for the improvements of tenants from year to year was to be enforced. The quantity of details unavoidably noticed fell far short of the entire of the provisions actually embodied in these Bills, which he now must leave for future discussion in Committee.

Such, then, was the outline of the code which he proposed for the adoption of the House, and the acceptance of such proprietors and tenants in Ireland as might not desire to sacrifice any of those rights of property which formed the basis of civil society. Subject to these rights, and so far as their just limits would allow, he had endeavoured to meet the exigencies of Ireland in a liberal and generous spirit. In preparing this code, and in considering every suggestion submitted to him, he knew he had added many an hour of toil to a life of no ordinary labour. Every suggestion which might hereafter be offered, from whatever quarter it might come, would be accepted and considered in the same spirit in which these measures had been submitted to the House. He knew the recompense too often bestowed on those who preferred the moderate and equitable adjustment of extreme opinions and conflicting claims to the gratification of narrow prejudices, but who considered the common weal and the interests of all as paramount to the selfish demands of any class or party. The man who was clamorous about rights and negligent of duties would depreciate his labours; the grinding middleman would dislike, and the factious or fraudulent tenant would heartily condemn them—for all this he was quite prepared. Enough for him, if by this code he had provided a freer course for industry, and had raised up an obstacle to injustice. If he should afford the means of developing effectively the resources of a land which God had blessed but man had blighted, the recompense would be to him an exceeding great reward. They might ask him, indeed, whether he hoped that by any measure of legislation they could bring peace and prosperity to Ireland? And he should answer, that they could not, except in so far, indeed, as their legislation might be a portion of that appointed agency which He could bless whose gracious touch could make the very act of ministering to the wants of the multitude the occasion and the means of increase and abundance. The voice of mercy had resuscitated Ireland—the flush and flow of returning life reanimated her frame; but still was she bound in the grave-clothes in which severe policy and sore affliction had enwrapped her: loose her and let her go.

Motion made and Question proposed—

> "That leave be given to bring in a Bill to facilitate the improvement of Landed Property in Ireland by Owners of Settled Estates."

MR. CONOLLY said, he was sure that the House generally must participate in the pleasure which he himself felt at hearing such a speech as that which they had been fortunate enough to have addressed to them by the right hon. and learned Attorney General for Ireland, and which he admired not only for its tone and temper, but because it was ennobled by the highest sentiments of public policy. Great as was his respect for the right hon. and learned Gentleman, and great as was his wish to see the question brought before the House conducted to a proper conclusion, he had no idea that it would have been put by him on so clear and on such an eminently working footing. He did hope, therefore, that the House had given and would give every attention to the measures submitted to them, and that the right hon. and learned Gentleman would be assisted and sustained by all sides of the House in the moderate and judicious course he had proposed.

MR. SERGEANT SHEE said, that he had listened with the greatest attention to the very able speech of the right hon. and learned Gentleman the Attorney General for Ireland, and must tell him that he was very much mistaken, and would do great injustice, if he thought that the Members who had been returned by Irish constituencies to that House, would, as he had insinuated, seek to obtain popularity in Ireland by any attack upon the rights of property. He (Sergt. Shee), for one, had undertaken to call the attention of the House to a Bill for the regulation of the relations subsisting between landlord and tenant in Ireland, but he could never have been induced to take that step if he had been of opinion that there was one word in the Bill which tended to touch or trench in the slightest degree on the just rights of property. He was disposed to give to all the suggestions contained in the speech of the right hon. and learned Attorney General for Ireland a most candid consideration, and he thought that there was much in the measures the right hon. and learned Gentleman had introduced worthy of being favourably entertained, and he was resolved to avow his approval of that which might appear to him worthy of the approbation and adoption of the House. As to three of the Bills which had been laid before the House, however he might be inclined to differ with the right hon. and learned Gentleman on some of their details, he believed that there was much in every one of those three Bills deserving of the attention and the adoption of the Legislature; and though he could not hope to be able, by any assistance he could give to the right hon. and learned Gentleman, who was so well acquainted with the details of the complicated law in Ireland, to lighten his labours, he could assure him it would not be from any want of hearty good will on his (Sergt. Shee's) part that he was not successful, and that he would not, from any party or factious motive, hesitate to do him full and entire justice on a question which ought not to be a question of party at all. Having said thus much, he felt bound frankly to state that the last Bill which the right hon. and learned Gentleman had brought forward, was not calculated in his (Sergt. Shee's) opinion to give the slightest satisfaction in

Ireland. The first part of that Bill which related to prospective improvements was but a second edition of the Bill introduced by Lord Stanley in the House of Lords, in 1845; and of the two Bills of Lord Lincoln and Sir William Somerville. Of all these measures the one which gave most dissatisfaction in Ireland was the Bill which had been brought forward by the present Prime Minister; and he (Sergt. Shee) felt assured that the proposition of the right hon. and learned Gentleman, which seemed to be but a renewal of that measure, would be received with the same dissatisfaction. As to that part of the Bill which related to what the right hon. and learned Gentleman called retrospective compensation, he felt convinced that that also was unlikely to be received with favour by the Irish people. He would not enter into a lengthened discussion on that point, because he hoped to have on an early day an opportunity of addressing the House upon the subject. He was of opinion that the Bill of the right hon. and learned Gentleman was defective in another point. It made no provision for the security of the vast amount of property accumulated in the north of Ireland. It left it altogether unprotected. Nay, more; it did worse, because, when the House had been called upon to consider a Tenant Right Bill, and when the right hon. and learned Attorney General for Ireland had brought the result of his consideration of the subject under the attention of the House, and yet made no provision for the Tenant Right in Ulster, he, in fact, said it was a right which ought not to be recognised, and which the landlords would be justified in disregarding. He (Sergt. Shee) would not discuss the various details of the Bill until it was laid before the House, but he felt assured that, so far from giving satisfaction, it would create dismay and consternation, if it did not cause disturbance, in what had hitherto been the most prosperous part of Ireland.

Mr. GEORGE said, he rose with extreme reluctance to address the House for the first time. He felt that the right hon. and learned Attorney General for Ireland had brought to the consideration of that all-important subject all that legal skill, extreme industry, and right feeling could supply to settle the conflicting claims of two classes whose interests ought to be identical. He did not mean to pledge himself to all the details of those measures, as there might be questions connected with agricultural matters worthy of consideration by and by; but the right hon. and learned Gentleman had stated most fairly and candidly that he was perfectly ready to listen to suggestions on all matters of detail, and to submit his measures to the judgment of those persons on both sides of the House who were best informed upon the questions under discussion. He should not have stood up, therefore, had it not been for some observations of his hon. and learned Friend who had just sat down. The hon. and learned Gentleman said he was not the man to do anything to trench on the rights of property. He confessed he was glad to hear that statement, because he thought the hon. and learned Gentleman had charge of the original Bill of Mr. Sharman Crawford, in which were two clauses introduced by the hon. and learned Gentleman (Sergt. Shee) himself, which, in his humble judgment, were utterly incompatible with the free rights of property. He thought that any attempt to force perpetuity of tenure, or to fix a compulsory value of rents, was utterly subversive of all the rights of property; and, therefore, if he was to draw a conclusion from the hon. and learned Gentleman's statement, it would be that he (Sergt. Shee) had determined to abandon those clauses to which he alluded in the Tenant Right Bill. Sure he was that no Parliament—not composed of landlords merely, but of fair, honest, honourable men—could ever agree to them. This was not the time for entering into details, but he should have thought himself wanting in his duty to his constituents if he had not taken this the earliest opportunity of stating his opinion that the measures now introduced would give general satisfaction in Ireland. He hoped no attempt would be made to add to the Bills clauses which would destroy, in all probability, their good effect, and mar the success of this latest effort to give peace and contentment to that country.

Mr. KIRK said, he wished to make a few observations on the importance of these Bills to Ireland, and to state that this question of landlord and tenant involved the internal peace and tranquillity of that country. It had been said that Ireland was the chief difficulty of every English Ministry. And why? Because its annals were annals of agrarian crime, arising out of disagreements between landlord and tenant. It was, therefore, most desirable for all parties to unite to promote the good of Ireland, to promote her peace and prosperity, grounded as that prosperity must ever be on her internal peace. He felt, and must acknowledge, a deep obligation to the right hon. and learned Gentleman for the code of laws he had just proposed, as well as for the manner, spirit, tone, and temper with which he had introduced them; and he, for one, should never offer the slightest degree of factious opposition to the measures now under discussion, but he must say that one important element, the settlement of the rent, had been left out. The right hon. and learned Attorney General for Ireland had alluded, at the conclusion of his address, to that district of Ireland which had been the scene of agrarian outrage. When, in 1846, the Legislature repealed the Corn Laws, and when concurrently it pleased God to bring on Ireland the potato blight, it was impossible that the rents previously contracted for could be paid. For a long time the occupiers in Ireland—in the north of Ireland more particularly—had made all improvements, not merely on their farms, but public roads and buildings. There was not a road or a bridge, a courthouse, gaol, or bridewell, but what had been constructed by the occupiers of the soil, the landlords not contributing a shilling unless when occupiers. That time they had high prices, caused latterly by the operation of the Corn Laws, and previously by the operation of the wars of the French Revolution. Prior to 1845, the usual course for settling their claim for improvements was for the tenant, when leaving, to agree with another person for a certain sum of money as compensation for the improvements, then to take this new tenant to the landlord, and satisfy him of his sufficiency. Thus the sale was completed, and the outgoing tenant compensated; the landlord had his property in the soil; the tenant his in the improvements. This system had worked very well, but when the potato blight and the Corn Law repeal came, it was impossible for occupiers to pay their rents. Since that there had been a system of combination and conspiracy extending itself over a great portion of the most peaceable part of Ireland, and stretching on, as he believed, even into England. When the landlord refused to lower the rent, the dread expedient was resorted to of shooting the agent. What had not been granted to remonstrance was conceded to terror, and this in the surrounding properties as well as in those in which such extremities had been proceeded to. The rents were lowered. Now, in none of these Bills did he see any proposition to meet this grievous and unfortunate state of things. As a merchant and a free-trader, he should be ashamed of himself to argue for a compulsory valuation of rents; but he thought these measures should include a clause providing, where the landlord and tenant could not between themselves agree upon the price of the land, that then permission should be given to the tenant to resign his holding to the landlord, and get from him the value of the improvements he had made upon it, subject to proper restrictions. This would completely destroy all cause of agrarian crime. He wished the right hon. and learned Gentleman would turn his attention to this point, and exert himself to produce security for person and property in Ireland; and he trusted and hoped that the admirable observations made by Her Majesty at the close of Her Most Gracious Speech would be duly attended to, and that a just and generous policy towards that country would be the governing rule of the Administration.

Mr. F. GREVILLE said, he thought the House and the country were much indebted to the right hon. and learned Gentleman the Attorney General for Ireland, for the admirable spirit in which he had introduced those measures, as well as for many valuable provisions which they contained. But, at the same time, he (Mr. Greville) agreed with the hon. and learned Member for Kilkenny (Sergt. Shee), that the last Bill which had been introduced by the right hon. and learned Gentleman would not give satisfaction to the tenantry in Ireland. It should be remembered that there could be no comparison made between the position of the tenant class in Ireland and in this country. In England the improvements in land were almost universally carried out at the expense of the landlords, while in Ireland they were almost as universally the work of the tenants. For these improvements the Irish tenantry naturally looked for compensation when they were ejected from their holdings; and their claim in that respect, ought, he thought, to be acknowledged by Parliament. Emigration from Ireland was continuing upon as large a scale as ever, and the only hope we had of preserving the population—that population of which we might yet stand in need, and which had always stood faithful to this country in times of danger—was to do that which would secure the tenant in his application of capital to the land, and retain him at home.

Lord NAAS said, he did not rise for the purpose of prolonging a useless discussion upon points of detail, which it would, at that moment, be impossible for them to consider in an efficient or satisfactory manner. But he wished to take that opportunity of correcting a mis-statement which had fallen from the hon. and learned Member for Kilkenny (Sergt. Shee), when he had said that the fourth of these Bills—namely, that for giving compensation to tenants in Ireland—was similar to the Bill upon the same subject which had been introduced by Lord Stanley, in the House of Lords, in the year 1845. He (Lord Naas) affirmed, on the contrary, that there was no similarity whatever between the two Bills, with the single exception that they had both been framed for the same object. Their details were entirely different, and the machinery by which their end was to be attained was equally dissimilar. The machinery of Lord Stanley's Bill was of a very complicated character, and such as it would be very difficult to work out. It proposed that Commissioners and Assistant Commissioners should be appointed for the purpose of determining whether the improvements contemplated by the tenant should be considered as improvements or not, and it would render the tenant liable to ruinous litigation before he could begin any improvement. There was nothing of that kind in the present Bill. There were no preliminaries whatever, and it would be perfectly competent to the tenant to commence his improvements at once; and any litigation which arose at all must arise when the landlord proposed to eject the tenant, at the end of his tenancy. The improvements could thus take place within a week after the first steps were taken by the tenant. That created a very important difference between the two measures. He was not surprised to learn that hon. Gentlemen opposite expected to find in the Bill an attempt to legalise the tenant-right of Ulster. He was perfectly prepared for that; but he could not sit down without expressing his opinion—an opinion entertained, he believed, by almost every Gentleman who had calmly considered that question, and was acquainted with the circumstances of the north of Ireland, that it would be simply impossible to import into an Act of Parliament the tenant-right custom as it existed in Ulster. That custom varied on almost every estate. It was founded on ancient usages, which differed in different parishes; and it would be impossible to embody it in any system of legislation without dealing separately with nearly every farm. He believed, too, that any legislation which would have for its object the legalisation of the tenant-right system would deprive the tenantry in the north of Ireland of the advantages which they at present derived from that system, and that by any effort to settle the question by legal enactment they would be losers to an enormous amount. He would not detain the House any longer. He had witnessed with great satisfaction the kind and liberal spirit in which the proposals of his right hon. and learned Friend had been received, even by those Gentlemen who differed from him; and he was sure that in future discussions on the Bill they would all approach the question with a sincere and honest wish to provide to the utmost of their power for the improvement of the condition of the people of Ireland.

Leave *given* to bring in the four Bills, which were each read 1°.

House adjourned at half after Nine o'clock.

HOUSE OF LORDS,

Tuesday, November 23, 1852.

Minutes.] *Took the Oaths.*—The Lord Dunsandle and Clanconal.

Their Lordships met; and having gone through the business on the paper,

House adjourned to Thursday next.

HOUSE OF COMMONS,

Tuesday, November 23, 1852.

Minutes.] Public Bill.—1° West India Colonies, &c., Loans Act Amendment.

THE CONSTABLESHIP OF THE TOWER.

Mr. VERNON SMITH said, he wished to ask a question of the right hon. Gentleman the Secretary at War relating to the appointment of Constable of the Tower. The right hon. Gentleman was probably aware that the Committee on the Army Estimates refrained from entering into the consideration of the Tower garrison, because they were informed that at the expiration of the patent all the offices would undergo revision. That was certainly stated by Mr. Fox Maule, now Lord Panmure. A vacancy had now unfortunately taken place through the death of the Duke of Wellington; and he perceived that Lord Combermere had since been appointed Constable of the Tower. He wished to know whether the establishment was subjected to revision previously to Lord Combermere's appointment, or whether the appointment had been made subject to any revision which might hereafter take place, which he conceived to have been the intention of the Committee.

MR. BERESFORD said, in the Committee on the Army and Ordnance Estimates the then Secretary at War (Lord Panmure) certainly stated, that according to the Resolution of a Committee of 1833, the whole staff of appointments at the Tower was to be subject to revision at the death of his Grace the Duke of Wellington; but on turning to the Report of the Committee, he did not find any such resolution. With regard to the appointment of Viscount Combermere as Constable of the Tower, he begged to inform the right hon. Gentleman that the appointment was made on the death of the Duke of Wellington, with this provision, that not only the emoluments of the Constable, but those of other offices also, as they became vacant, were to be subject to any revision which Parliament might choose to make. But he must also beg to make this further remark: That from the Army Estimates of the present year he found that the total sum given to reward distinguished services amounted to 18,000*l.*; that the sum to distinguished officers was 9,674*l.*; for garrisons held by officers, as rewards for military services, 2,931*l.*; the amount borne on the Vote for rewards was 12,605*l.*; the amount borne on the staff for the Tower of London was 3,911*l.*; the amount of appointments on the staff which, when vacated, were applicable as rewards, was 445*l.*—making altogether 16,963*l.*; to which was added the sum of 1,036*l.*, making a total sum of 18,000*l.* That was an estimate to which was appended, not the name of "William Beresford," but "Robert Vernon Smith." The "Tower of London" was included in rewards for distinguished services; and he was sure that in the case of Viscount Combermere, who had served his country upwards of sixty years—in India, in the Peninsula, and in nearly all parts of the world—900*l.* was not too large a sum under that head. He begged leave further to say, in answer to the right hon. Gentleman's question, that whenever any Parliamentary inquiry should be made on the question, the Government would most willingly give their best consideration to it.

REGULATION OF PORTS AND HARBOURS, &c.

ADMIRAL BERKELEY said, he begged to put the following questions to the hon. Gentleman the Secretary to the Admiralty: Whether Her Majesty's Government intend to introduce a Bill for the better regulation of ports and harbours? Whether the present Board of Admiralty, soon after their accession to office, gave directions that the names of the workmen and artificers, recommended for promotion, were to be sent direct to the Secretary to the Admiralty instead of being first submitted to the Surveyor of the Navy, as had been previously the rule? Whether any correspondence took place with the Surveyor in consequence of such order, and whether such order is still in force? Whether a Committee of Officers was appointed to inquire into and report on steam ships, steam engines, and the subject generally as applicable to naval purposes; and the reason for such Committee separating without coming to any conclusion or making any report?

MR. STAFFORD said, in answer to the first question, it was not the intention of the Government to bring in a Bill on that subject. In reply to the second, he had to state that he supposed the hon. and gallant Gentleman alluded, in the wording of his question, to the arrangement made by Mr. Ward in 1847. The arrangement, which was first made when the Navy Pay Office was consolidated with the Board of Admiralty, in 1843, confirmed in 1844, and assumed to be in existence in 1847, when Mr. Ward issued his last regulation, was still in force, and had not been at all disturbed by the present Board of Admiralty. There was no correspondence with the Surveyor of the Navy on the subject. In answer to the third question, he thought the hon. and gallant Gentleman had assumed that the Committee of Officers had separated; but that was not so. The Committee, on their appointment, proceeded to visit Glasgow and Liverpool. They found, however, that in order to carry out the purposes for which they were instituted, it would be necessary to expend a greater sum in the prosecution of their researches than was desirable. For that reason the Committee returned to town, and did not prosecute the inquiry further; but it was in contemplation for them to resume their functions.

MR. RICH said, he wished to know whether any steps had been taken by the

Admiralty with a view to render the naval defences of the country more efficient, in pursuance of the recommendations of a Commission which sat on the subject?

Mr. STAFFORD said, the Commission to which the hon. Gentleman referred made a report, in which they suggested certain things to be done, and other things which it would be desirable to do when the next mail contracts came under consideration; but he (Mr. Stafford) did not think it prudent to stste what those suggestions were, for the present at all events.

Subject dropped.

COMMERCIAL LEGISLATION—FREE TRADE.

Mr. VILLIERS rose, in pursuance of notice, to move the following Resolutions:—

> "That it is the opinion of this House, that the improved condition of the Country, and particularly of the Industrious Classes, is mainly the result of recent Commercial Legislation, and especially of the Act of 1846, which established the free admission of Foreign Corn, and that that Act was a wise, just, and beneficial measure.
>
> "That it is the opinion of this House, that the maintenance and further extension of the policy of Free Trade, as opposed to that of Protection, will best enable the property and industry of the Nation to bear the burthens to which they are exposed, and will most contribute to the general prosperity, welfare, and contentment of the people.
>
> "That this House is ready to take into its consideration any measures consistent with the principles of these Resolutions which may be laid before it by Her Majesty's Ministers."

The hon. Gentleman then said: Sir, in rising to submit to this House the Resolutions of which I have given notice, I think it right to state why I have deemed it my duty to persevere in the Motion, and why I did not accede to the request which was made to me originally by the right hon. Gentleman the Chancellor of the Exchequer, that I would postpone the Motion until a time subsequent to his proposal of some measures which he said he wished to lay before the House. With this view I beg first to call the attention of the House to its own position with respect to the great matter which we are specially summoned at this unusual, and perhaps inconvenient, season to settle. It will be remembered, that on the first night of the Session, there was a sort of general concurrence in the propriety of not moving an Amendment to the Address; which I think was chiefly occasioned by a feeling, that as this Session was a special one, a more deliberate consideration might be given to this subject upon some future or distinct occasion. It was under these circumstances that, on the first evening I gave notice that I should, on a future occasion, bring the matter distinctly under the notice of the House. But, Sir, one of the consequences of the unanimity which prevailed on the first night of this Session was, that this House became bound by the contents of the Address; and with respect to that particular matter on which we were supposed to have been summoned, we were bound by that paragraph or passage in the Speech which had reference to it, which was the subject of observation on that night, and which, I may add, was at that time so justly and so generally objected to by the House, and I am not exaggerating the case, when I say which, under all the circumstances, has been so universally condemned. Something like an official intimation of the opinion of the Government upon the great matter on which the last Parliament had been dissolved and the new Parliament had been called together, was expected; persons were hoping either to hear that opinion intimated through the Speech, or the view entertained by the Government of the opinion which the country had expressed on the subject; but where they expected to have this information, nothing is found but what I think has been properly designated an unworthy evasion of the whole matter. Whereas it was expected to find something in that part of the speech distinctly stated, they found nothing decided, nothing asserted, something implied which was very questionable, while the paragraph concluded in terms which I venture to say there was not a man who did not consider were used purposely not to be respectful to this House. I say that, Sir, most advisedly. I do not believe, at least in the modern days of Parliament, that there has ever been such a paragraph penned or addressed by any Ministry to this House. We all know what is meant by a reference to "the wisdom of Parliament." Why, it is the cant sarcasm or cynical reflection commonly made upon the character of this House. Whenever anybody wants to satirise this House, he refers in a sneering tone to its wisdom. That may or may not be just; but I say it is the custom, and I say also that there was not a man in this House, and I believe there was not a man out of this House, who did not recognise this object in the terms used on the occasion. And that is the paragraph in the Speech which was intended to satisfy this country upon a question distinctly put in issue when Parliament was dissolved, to which an answer is said to have been given, and for which Parliament has been summoned expressly to declare. Why, Sir, I am at a loss to understand how hon. Gentlemen opposite can honestly say that for a moment they supposed that such a passage in such a Speech would be at all satisfactory to what they themselves have described as "the great majority of this House." And still more am I surprised to learn, from what has passed recently in another place, that it was not only expected to be satisfactory, but that anybody who disputes the matter—anybody who is not satisfied with such an allusion to the great matter in question—is factious, and raises a question about it for the purpose of opposing the Government, or resisting the measures which are in contemplation for the benefit of the country. Sir, it is on this account that I consider it most important that this House should come to some positive declaration on the great question at issue. This House is put in a position anything but satisfactory by the decision of the other night. I said before, and I repeat, that no Amendment having been moved to the Address, the House has become bound by its contents; and, with reference to the condition of the country, it is bound by the passage in the Speech to which I have referred; and I ask whether that is a decent or a satisfactory way for this House to represent the opinion so strongly expressed by the country upon a great question submitted to it? But the right hon. Gentleman the Chancellor of the Exchequer suggested to me to waive the Motion of which I gave notice, for the purpose of first hearing the measures which he had to propose. Now, Sir, I really do not understand the logic of such a proposition. This House is met at this time, as I have said before, for the purpose of receiving the answer of the country upon a matter distinctly referred to it—the policy which is to regulate the commercial interests of the country. I am only saying that which was stated by the First Minister at the beginning of the last Session, and repeated by him last night, when I assert that is the purpose for which we are assembled at this unusual time of the year. The right hon. Gentleman, without anything having been conveyed in the Speech as to the opinion of the Government upon this subject, or with regard to the elections which have taken place, proposes, or at least suggests to me, that I should waive the proposition which I now make for a distinct decision of the House, until he brings in certain measures. Now, I don't know what these certain measures have to do with the purpose for which we have met. I do not remember that the last Parliament was dissolved for the purpose of taking an opinion on any measures, and I am not aware that any measures have been submitted to the country. I do not deny that certain intimations were made in another place of measures which were to please everybody, if only a reasonable time were given for their introduction. That may all make a very good story for Gentlemen to tell their constituents, or for Cabinet Ministers to announce to their party, but it will not do for a House of Commons assembled for a specific purpose, and determined to fulfil the purpose for which we are met. We have a distinct recollection of the purpose for which the Parliament was dissolved; and it was, as was said the other night, to be because the First Minister of the Crown could not make up his mind to change his opinion on a certain important subject, and thought proper to assume that there was a doubt upon the matter, and to take the opinion of the country as to whether he was right or wrong in the course he had adopted. As far as I could understand that Minister, last year, he consented to be tried by his country: he submitted himself—I will not repeat the irreverent addition he made—to that ordeal; he said he would be tried by his country, and that is sufficient to justify my Motion. He has been tried, and, as it seems to me, has been found wrong, though now he seems to start afresh, and says, "Well, if that won't do, I must try something else." Certainly, says the First Minister, "you differ from me in this matter; but if you only give me a little time, I have got a Colleague so fertile in his resources, and of such transcendent abilities, that he will soon prepare a substitute for you—something that you will be delighted with—something that, if he is only permitted to produce it, is sure to be satisfactory to all parties." I do not deny that this is possible. There are geniuses of that kind, particularly in connexion with medicine, who discover remedies for every evil to which the flesh is heir; and I have no doubt but that this Colleague is preparing measures which will be universally palatable, if he has only plenty of time to produce them. But in the meantime we must think of the business for which we are assembled, and come to the decision for which we have met. I am perfectly astonished to hear that a Motion so obvious, so reasonable, as I hope that is which I am about to submit to the House, one so strictly consistent with the purpose for which we are assembled, and the object with which we were dissolved and dispersed through the country—I am perfectly astonished to hear that the very mention of such a fair common-sense proposition is considered by Her Majesty's Government and their supporters to be factious. Framed for the purpose of overthrowing the Government! Framed for the purpose of thwarting Ministers! Really, I do not know why I am implicitly to trust this Government, or to rest satisfied with their reputation for consistency! I do not see why such faith in them should be expected from any man. I dare say that before this debate terminates, we shall have plenty of reasons given why we should all agree; but still I cannot think my offence deserves the name of factiousness, or—seeing that the Government has not yet intimated its opinion—why I should not submit some Motion to the House of Commons, in order that it may express its collective opinion, in obedience to the directions its Members have received from their constituents. Moreover, I have no idea of what the measures are which the right hon. Gentleman is to propose with a view of silencing a factious opposition. I certainly have read the public papers, and have endeavoured to collect the information which is open to everybody, and I have found the same difficulty which I believe has been felt by every one, in tracing out the real character of these measures. I have read carefully the speeches of persons supposed to be in the confidence of Her Majesty's Government. One of them, a noble Marquess, when addressing an agricultural audience, said that he had received no distinct intimation of what the Cabinet contemplated, but he felt perfectly convinced that they in some way or other intended to advance the agricultural interest, whether by a tax on spring corn, or by meddling with the currency of the country, he could not say, but relief was in some way or other to be afforded. Turning our view to Essex, we see a Gentleman there, who has given his attention particularly to the currency, and who intimates that there can be no justice for the farmers until that most unwise measure, the law of 1819, is repealed. Again, a Gentleman high in the confidence of Government, one holding a most important position in the Government, goes down to Lincolnshire and informs the farmers there—I don't allude to his original speech, in which he stated the grounds of his confidence in Lord Derby, that he knew his Lordship to be a thorough protectionist, one who had nothing at heart but the re-enactment of a protectionist policy—I will not allude to that speech, it is too old, it was made some months ago—but I allude to the speech of a week ago, which I consider to be important. In that speech he says that there are only two courses open to the Government: either to return to protection, or to give the agriculturists in its place something as good, which, as I venture to read it, would be, something quite as bad. These, then, are the measures shadowed out by Members in the confidence of the Government, and still the hon. Gentleman says—"Let me bring forward my measures, let me have the precedence of you." Of me, who want to lay down some principle upon which the country ought to regulate its commerce, or, according to an expression used in the House of Lords, its interests. Before you do that, says the right hon. Gentleman, let me introduce my measures. But the right hon. Gentleman asks me to assume that some mischief has been done, and that some reparation is required, which he must be aware I deny *in toto*, and declare the direct opposite to be the case. Then I am told of recent converts. I hear of persons who are honestly desirous of supporting our policy—persons, too, who on both sides of the House are tender on the subject—and I am told that we have framed our Resolutions purposely to offend these converts. Give us some information that they are honest converts, and that they adopt our views of commercial policy, and certainly they shall receive all forbearance from this side of the House. But, as far as I can understand, the converts to free trade, if converts at all, are so from necessity. You have dissolved the last Parliament, and you have got a verdict against you; and you, what you call, bow to the verdict of the country. Certainly I must say that a more convenient course for a party I never heard of, than that of dissolving Parliament to obtain a verdict from public

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opinion as to whether they are right or wrong, and the adoption of such course afterwards. One cannot but be amused at it. To use a rather vulgar metaphor, it is merely, "heads, I win, tails, you lose." If protection succeeds, so much the better, we are all right. If free trade is successful, we "bow" to the verdict of the country, but at all events we remain in. I never should have made these observations, nor have taken this line of argument, had not my Motion been stigmatised as factious. I want to justify my course, and to show to the country that I am reasonable in calling for a distinct declaration of the principles that are to guide the Government. I believe that the country has declared itself to be perfectly satisfied with its experience of recent commercial policy, and don't want to have it changed. On the contrary, they want to have it declared settled, and extended, too. And I cannot understand why the Government should hesitate to declare itself satisfied and determined to carry that policy out to its fullest extent. If I am to understand the arguments or speeches of the right hon. Gentleman, or at least of the First Minister of the Crown, they mean that the latter has not abandoned his opinions at all, but is of the same opinion still. That being the case, I cannot understand that there is anything unreasonable in the country declaring—leaving the First Minister to his opinions—that they also adhere to their opinions, and that they should be expressed by their representatives in this House. I do not believe that a public meeting could be called in any part of the country, when the persons assembled would not declare that they had derived the greatest advantages from the changes which legislation had made in our commercial policy, that they were satisfied with them, and that they did not wish to return to the old system. Then I want to know why the House of Commons is the last place in which such opinions are to be declared. Why are we to come with "bended knee and bated breath" to whisper something conditional and equivocal, like this paragraph in the Queen's Speech, which seems to intimate that evil had resulted from the commercial changes, and that the first business of Parliament should be to remedy that evil? That paragraph is vague and mysterious: we don't understand it. We, the majority of this House, think, and have declared elsewhere, that the recent changes were wise and beneficial, and we are assembled here to declare them so. There is one thing, moreover, which cheers me on, and which satisfies me of the propriety of my making this Motion, namely, that it has already done some good—the good, that it has produced the Amendment of the right hon. Gentleman. I can assure the right hon. Gentleman that I have derived the greatest satisfaction from seeing his Amendment, which is not an amendment on my Resolution, but a great amendment of his own politics and that of his party, particularly as they are propounded in the Queen's Speech, and especially in a recent one by the First Minister of the Crown. And I can hardly be induced to withdraw my Resolution for the sake of this Amendment, because I think that any man of common sense seeing the two propositions would say that mine was the Amendment, and the right hon. Gentleman's the original proposition. Neither would I withdraw it, if it was only from the good it had done already. I will not despair that before the close of the evening, or of the week, the right hon. Gentleman may adopt my Resolution—perhaps vote for it. There is one point in the Amendment that brings us so near to an agreement that I am in hopes we shall have but one division, or perhaps none. It is a most valuable admission, "that one of the Acts of our recent legislation had cheapened provisions, and thereby greatly improved the condition of the working classes." I entirely agree with the right hon. Gentleman on that point; and so much do I agree with him that I have specifically referred to that Act; and so entirely do I agree with him in his reference to that Act, which has cheapened provisions, and thereby improved the condition of the working classes, which the right hon. Gentleman, in his Amendment, says it has, that I have characterised it as a wise and just measure. If the right hon. Gentleman still requires me to withdraw my Resolution, he will feel obliged to tell me why an Act which, according to his own Amendment, has conferred such an inestimable blessing on the people, should not receive the character which I have given it. I should be surprised if there should be any hesitation on the part of his friends to admit that character to be just; for, having long considered the subject, having many times assisted in its discussion in this House, I have a distinct recollection that this recent legislation, which used to be called in that day the total repeal of the corn law, was opposed solely on account of the advantages of that law to the poor. It was always a labourers' question. "Prove to me," used to say some Members for counties whose seats depended on upholding this law, "that it is not for the good of its poor—that the labourers wont suffer from its repeal, and I am in the lobby with you directly; for it is on their account I uphold it—it is because it is a labourers' question that I vote for the corn laws." It was a poor man's question essentially; and used to be discussed by Gentlemen opposite in that point of view. I am sure that if any foreigner had been present when our discussions were going on, he would have thought that all the benevolence was on that side of the House, and all the heartlessness on this side. He would have thought that those benevolent men cared nothing for their own kindred or their own property, but were all ready to be sacrificed for the benefit of the humbler classes; whereas their opponents were hard and flinty-hearted men, ever grinding the faces of the poor, and seeking profit from their misery. If such an observer were to appear to-night, and to see that we have not only changed that law, but have admitted that the change has greatly benefited the working classes, and greatly improved their condition, but yet that a great party, the majority that used to be, the disinterested and humane that seemed to be, now object to designate that Act as wise and just, I believe he would be led into some doubt as to the sincerity of their sympathy with the poor. Now, if I must offer a word of advice to the right hon. Gentleman and to that party, it would be at once to accede to my Resolution. It is not much to ask of them; I hardly see how they can do less, for if ever there existed a law which had the effect of raising the price of provisions, and consequently deteriorating the condition of the people, it must have been the most odious and execrable law that ever passed; and no one will understand why an Act which repeals such a law, and has produced such consequences as the right hon. Gentleman asserts, can be other than I have described it in my Resolution. I cannot conceive a more guilty exercise of authority than that of tampering with the subsistence of the people; and if an Act having that effect existed for the benefit of a few members of the community, I cannot conceive anything more vile than such an enactment. What is it that you mean by an Act that has raised the price of bread and provisions, and limits the amount to the poor? Such an Act involves everything that regulates and gives character to the whole condition of the people. The amount, more or less, of food which the people have, determines the condition of those millions of people who earn their daily bread by their daily toil. Whether a man shall be a degraded animal or a civilised social being, depends entirely on the means he has of obtaining, not only that which is necessary to supply the requirements of nature, but on the excess beyond that which enables him to attend to his other wants, moral and social. A man so elevated or degraded is literally either a civilised man or the contrary, just in proportion as food is easily accessible to him or scarce; and, in the present state of the world, the most important circumstance connected with the moral nature of man is that which affects the plenty or scarcity of his food. What is the business of life? Look round at the millions upon millions that cover the surface of this earth, and consider if the business of their life is not to exchange labour for food? The terms on which that exchange is made, decides whether a man shall be degraded or raised; and, amongst us, whether he shall be the occupant of the union or the gaol, or perhaps of a premature grave. It is that which has produced the universal conviction now prevailing that upon the amount of food in this country depends the condition of our people. If, therefore, any Minister or man in authority should try to persuade any portion of his fellow-countrymen that an Act of this country which has had for its purpose to increase the abundance of food has had the effect of increasing crime and pauperism—I say, if any man announces such an opinion, he excites the wonder, if not the indignation, of the people throughout the land. There are men in every parish of this country whose experience satisfies them that the extent of crime and destitution among the people entirely depends upon the amount of food available for their support; and in making the reference I do now, I am perfectly satisfied the right hon. Gentleman the Home Secretary will feel that it is necessary for him to make some explanation to this House of the statement he is represented to have made when he recently addressed his constituents. I am sure that the right hon. Gentleman has been misrepresented or misreported, for I believe he is the last man in this country who would misrepresent a fact, or mislead his countrymen. But with his high authority he is supposed to have suggested to the people whom he addressed, that in consequence of recent legislation crime and destitution had increased. [Mr. WALPOLE: No!] I readily believe that denial of the right hon. Gentleman, from the respect I have for his character; and I am glad to see the prompt manner in which he expresses it, for it shows his conviction of the opposite opinion. It is now the knowledge of the great importance of this matter—of the amount, more or less, of food in this country—that makes the power or control of it a circumstance so terrible, so great, so vast in the hands of any authority; and I do think there can be no greater manifestation of heartlessness, I had almost said of barbarity, on the part of any body of men, who can, for the purpose of benefiting themselves, attempt to limit the amount of subsistence of the people. But, Sir, I am obliged to ask, nevertheless, what it is we are assembled here upon this occasion for? I am obliged to ask whether such a law has not existed, or did not exist, in this country for upwards of thirty years; and whether we are not now about to recognise the enormous advantage to the community of having repealed that law? A law for which there is nothing in the vaunted institutions of this country, or in the wealth which it may have conferred upon individuals, or in any other circumstance connected with this country which could compensate to the working classes for the enormous injury that such a law must have inflicted on them; and yet if I understand the difference between this and the other side of the House this night, it is that I propose to designate the repeal of such a law as wise and just, and you consider that such a designation is "factious," and that it is utterly incompatible with the honour and credit of some hon. Gentlemen to acknowledge the policy and advantage of such a change. Indeed I received information within a few moments of entering the House, that if it should be declared by a majority of this House that the repeal of the law—which has had the effect the right hon. Gentleman the Chancellor of the Exchequer has stated, and which I have so often stated in this House—was wise and just, we have a prospect of a resignation of this Government. I can assure the right hon. Gentleman and his Colleagues that, whatever they may think of the motives of the person who proposes this Resolution, and though Lord Derby may think it factious, I have not the smallest desire to see them dismissed. ["Oh, oh!"] I do not deny that the noble Earl at the head of the Government is a great authority as to what is faction. He has been, as he stated last night, thirty years before the public: the public have had the opportunity of witnessing his conduct for the last thirty years, and I, as one of the public, do not dispute his authority in such matters; but it is still possible, I can assure the noble Earl, for a man to be single-minded on a matter of this sort—to have but one purpose before him—still possible for a man not to be ready to adopt every principle and abandon every party for the sake of power. I care, however, very little whether credit is given or not by hon. Gentlemen opposite to the statement I have made; for most surely do I believe this great country would survive the calamity with which it is said to be thus contingently menaced by right hon. and hon. Gentlemen opposite resigning their places. I should be very sorry to see it happen; but, though it did so, still I am not without hopes for the country. I have heard of such things before, and I have seen such things happen, and without any evil to the country in consequence. In fact, I myself am not disposed to attach so much importance to the existence of a Ministry as some people are. I have seen four or five Ministries in office since I have been in Parliament, and, so far as I have been able to judge, there has been a strong family likeness between them all. The country never suffers very much from any of them; those who accede to power, generally do that which they resisted in opposition, which is pretty much what their predecessors did before them. My own impression is, that no great genius is required to administer a government. I believe that all the real business in the public offices is done by a certain number of public servants—able and valuable men—of whom we hear very little, and that it must be owing to some lack of judgment, or some want of capacity, whenever a Government becomes sufficiently unpopular to be displaced. That I may not be misunderstood, however, I beg again to state, that in making this Motion I have no object of displacing the Ministry. ["Oh, oh!"]

I do not act as a partisan on the occasion. [" Oh, oh ! "] Well, then, as Gentlemen opposite do not seem satisfied with what I say, I will add that, were that displacement to occur, I shall be quite reconciled to the event. If, however, I might offer a word of advice to the right hon. Gentleman the Chancellor of the Exchequer, it would be that he do no such thing as go out, but rather that, if this Motion be carried against him, he accept it with thankfulness, and make use of it in adopting the course which he apparently wishes to pursue. He seems to be about to enter upon a career of usefulness, and I would advise him not to be deterred by the novelty of that course from doing so. The right hon. Gentleman takes very much the same views with regard to the financial policy of the country that those whom he used to assail took before him ; and with his talents, which seem to be available for any purpose, I should be really sorry to see him removed from office by my Motion. I am still more hopeful of the course he is likely to pursue from what I see shadowed out in his Amendment. There was reason to expect good from his statements when he produced the Budget last year. He stated facts very candidly; and, though his friends were then very anxious to relieve him from the imputation of deducing any conclusions from those facts, it seems that he has concluded something from them, and has now formed opinions which he really entertains. In that statement on the Budget he declared, very frankly, that the commercial policy which had been followed in this country for the ten years previous had had the effect of greatly relieving the community, without injuring the revenue. He admitted that these were facts which it was his duty, as a Minister, to declare; that duties had been repealed or reduced to a very large amount; that the revenue had not suffered much, and that the community had benefited a great deal. Facts such as these were obviously distasteful to his supporters; but still the right hon. Gentleman, with the responsibilities of office upon him, felt bound in candour to state them. I must say, that in his present Amendment he seems to have laid the ground for advancing the policy to which he did homage last year; a policy which consists in reducing, or altogether removing, duties on articles of necessary consumption, then on articles of general consumption, so that the people might, by easily satisfying the wants of first necessity, have the means of obtaining articles of secondary importance. This is a policy distasteful to hon. Gentlemen opposite to admit; but nine months' gestation has done a great deal, and, among other results, has produced that Amendment, which admits the case on this side of the House: that when you reduce the tax on food, and do nothing to raise its price, you may venture to reduce other duties, because then the people will be able to consume the commodities on which they are laid, and the revenue will recover itself. That is an intelligible principle, and we want that principle acknowledged by this House. We want the Chancellor of the Exchequer to recognise that principle, and fully to carry it out. I justify the Resolution I am going to propose, on the ground that at present the Chancellor of the Exchequer's intentions on this main subject are not known; that we cannot understand, from anything that has taken place officially, whether he is going backwards or forwards, or what course he is going to take; whereas if he adopts the Resolution I shall move to-night, there can be no doubt on that matter in future. That Resolution is a full and clear recognition by the House of the advantages we have already experienced by the new policy. I startled Gentlemen opposite some time ago when I attempted to show how available the means of the community were for further consumption if duties on necessary articles were reduced ; but some of those Gentlemen, while recently occupied in agitating the counties and remote districts on the subject of protection, have made great use of the statements I so put forward, and have applied them to the proposition that 91,000,000*l.* had been abstracted by recent legislation from the pockets of the farmers, and that the farmers, consequently, were entitled to indemnity. What I spoke of was the vast difference that there was in the means of the community available for general expenditure between a year of great scarcity and a year of great plenty—between such years as 1847 and 1849—between years when people paid a great deal for little food, and when they paid little for a great deal of food; quite sufficient to account for great differences in the demand for articles taxed for revenue, and the condition of the people generally. I did not stoop to contradict Gentlemen who made this use of my statement, for they exposed themselves to this question—If 91,000,000*l.* have been taken from the farmers, who gave the farmers the 91,000,000*l.* in the first place? I have here in my hand a calculation smaller in amount, and which I hope will therefore startle Gentlemen rather less, but which exactly illustrates the advantage of that policy which I hope the Chancellor of the Exchequer intends still further to carry out. This metropolis alone affords a most conclusive illustration of the enormous effects that are produced by a reduction in the price of articles of food upon the availability of the people's means for purchasing other articles. The population of London, according to a moderate calculation, is 2,300,000. From July, 1828, when the sliding scale was enacted, up to the end of 1841, when it was abolished, 14,787,990 quarters of wheat were admitted, 12,452,562 of which, or 84 per cent, were not admitted until the price exceeded 70*s.* per quarter. 70*s.* per quarter for wheat gives 60*s.* per sack for flour. The quartern loaf would then be 11*d.*, it is now 7*d.* The consumption of the population of London is not less than two quartern loaves per head per week, so that the saving is 8*d.* per head per week, or 1*l.* 18*s.* per annum, being, for the whole population, 4,750,000*l.* Again, as to articles that come next to those of necessity, for instance, sugar: in London, where the consumption is greater than in the country, the allowance to servants is half-a-pound each per week for breakfast and tea alone; the middle and upper classes consume not less than 50lb.; so that the average may fairly be taken at 30lb. The soft sugar, that, up to 1845, was 7*d.*, is now 4*d.* to 5*d.*; the loaf sugar, that was 10*d.* and 11*d.*, is now 5*d.* to 6*d.*; and probably half the consumption of London is loaf sugar. Take the reduction, as a low average, at 3½*d.*, the saving is 8*s.* 9*d.* a head, per year; or, for the whole population, 1,093,750*l.*, the entire consumed giving above 26½ lb. per head. In coffee, on a similar calculation, the gain to London is 166,666*l.*; and on tea, 125,000*l*, owing to the recent reduction in the price of both those articles, representing a total of 5,739,583*l.* in London alone—there being also, of course, a corresponding gain throughout the country, and in every town, from the same cause. The reason why I wish to impress these facts on the Government is, that the First Minister of the Crown does not appear to be informed on the matter. If anything were needed to justify my present Motion, it is the speech of the First Minister on the first night of the Session. The noble Earl cannot understand, it seems, what difference there is between taxing food and any other article —he stated so last year—and his notion is, that if the amount of food increases, that the condition of the labouring classes is deteriorated, or, as he is pleased to express it more shortly, if the price of food falls, wages will fall; he stated so the other night. I want to impress upon him that the difference between food and any other article is, that food is a thing of first, of necessary consumption; and that it depends entirely on the price, or rather on the abundance, of that article, what you have left for farther consumption. But the noble Earl will perhaps say, that he is occupied with the revenue; that he is not talking about humanity, or about the condition of the people; and that he does not see why food is not as good an article to tax as any other. But, taking merely the financial and economical view of the subject, it is of the greatest possible importance as I have shown, that while you tax expenditure generally, in order to collect a vast revenue, that food should be cheap and abundant, in order to facilitate all other consumption. The noble Earl keeps to the point, that if the price of food falls, wages also must generally fall; but I cannot offer so great an insult to the intellect of so able a man as the noble Earl, as to suppose him for a moment to be in earnest, in uttering a fallacy that could only be entertained by the most ignorant persons; for no amount of sympathy with the labouring classes could lead an intelligent being to suppose that they would be injured by the abundance of the first necessary of life, or that a fall in the price of provisions must deteriorate their condition. Against such statements and such views, if honestly held, it would be necessary to show what the general condition of the country is under a fall in the price of provisions; but not knowing exactly what view the Government may be going to take on this occasion, I do not like entering very much into details, for I still hope that we are, on both sides of the House, agreed as to this general fact, that, with food cheaper, and with various duties on articles of consumption reduced, the country is in a prosperous state. I have, indeed, since I gave notice of this Motion, had more information sent to me from all parts of the country than I could carry—papers, and documents, containing facts of every kind, from every district of the country, proving the great prosperity that in all directions so eminently prevails. If I thought there would be the least dispute on the point, the smallest difference of opinion expressed as to the fact, I should feel myself bound to read to the House more or less of this information so received, because it certifies, from literally every part of the country, the great prosperity of every great interest, or great division of the community, tested by every conceivable test—by full employment, by diminished pauperism, by decrease of crime, by loyalty, by contentment; clearly ascertained and confidently stated by competent judges, who have witnessed and watched the course of the change from its commencement. Formerly, I should have felt it necessary to lay all such information before the House; but I shall, for the present, abstain from doing so, because I will yet venture to hope that we are in effect, and substantially, agreed upon the matter contained in the Chancellor of the Exchequer's Amendment—namely, that by the recent legislation abolishing protection, food has been rendered abundant, and the people prosperous. I want the Chancellor of the Exchequer to go further, for he seems to have confined his proposition to the working classes. I do not know why he does so; but I suppose he will explain his reason. I myself do not confine it to the working classes, because there is no possibility of really benefiting the working classes by legislation which does not also beneficially affect the whole community; and it was from the same cause that former laws could not injure the working classes without every other class—every section of every other class—sooner or later being made to feel the effect of their suffering. The same legislation which facilitates and extends to the merchant the market at home for foreign commodities, enlarges for the manufacturer the demand in exchange for his manufactures; to the agricultural producer the demands for his produce by means of greater consumption; to the labourer the demand for his labour; and thus all classes are in fact benefited by means of a mutual interest. It is therefore that in my Resolution I propose to the Chancellor of the Exchequer to accept the principle and doctrine that the property and industry of the country are better able to bear their burdens by applying the principle of free trade, as opposed to that of protection; and it is on this point I am anxious to get the opinions of the Chancellor of the Exchequer—for, as yet, we have not got his real views on these respective principles. This is one of the great purposes for which we are now assembled, and for which I propose this Resolution. I want to know whether he thinks protection a great good, enabling those who are protected to support their burdens; or whether he thinks free trade a mischievous system, which, if it must be endured, it will be his duty, if possible, to mitigate. These are points which I desire to hear definitively settled in this House, but which as regards the Government are still left undisposed of in the Amendment. My opinion is, now, as it has often been expressed in this House, that protection is an unqualified mischief, unjustifiable in principle, vicious in practice, and peculiarly injurious to the interest it purports to benefit. If the right hon. Gentleman, in the course of those changes which he is undergoing, has come to the same conclusion, it is highly important we should know the fact without loss of time, since the character of future legislation will probably turn upon that point. My distinct impression is, that no compensation whatever is due to any interest that was protected, because, as regards every such interest—I speak of the interest, and not of individuals in particular cases connected with it, but as regards every such interest at large, my conviction is, that it has only been served by the change of system. My belief is that every interest which has been hitherto protected, has been withering under that protection. The experience of the last few years has proved to us the vast advantage of setting all interests free; and if we want any one illustration of this fact more convincing than another, more completely demonstrating how injurious protection was, and how beneficial the relief from that protection is, we have that peculiarly and most conclusively illustrated in the case of the agricultural interest. I do not speak rashly or without book; it has ever been my strict habit, throughout the long discussion of this question, to take the utmost possible pains to assure myself that I was right in the data upon which I based my views and my statements; and in preparing for this discussion I have not departed from that rule. Throughout the struggle for the total repeal of the corn laws, in seeking to ascertain whether the change could be effected with safety to the country and without injury to the particular interest—and if any one doubts the truth of what I say, I would refer to the evidence I adduced before this House in 1844—I made it my business conscientiously to procure information from every one who was competent to give an opinion, and I have done so since. I have questioned persons intimately acquainted with the present state of agriculture in this country, and have sought their views of that condition, and I have received their solemn and conscientious opinion that the agricultural interest was never in a more healthy condition than at this moment. [*Cries of* "Oh! oh!"] If hon. Gentlemen doubt me, I shall be obliged to produce my authorities. I can adduce one now whom, if I was to name, the Government could not dispute his credit, and whom others would admit to be competent, for he is a man, himself a large occupier and farmer of land, who is, besides, employed by many noblemen and gentlemen as their land agent, and who is generally intrusted with the purchase and sale of land; I asked this gentleman what he thought of the condition of the landed interest; and he told me that he had not known it for years in so good a condition as it was in now. His expression was, "I never knew it in a sounder state." I asked him whether land now sold for more than it used to fetch; and he replied, "Most undoubtedly;" that, speaking from twenty-five years' experience, he had never known land sell so well as now; that he himself had sold, within the last few months, a great deal of land; that it was rising in value, and he should say it was selling now at thirty-seven years' purchase, and that some pasture land which a few years ago sold for twenty-eight years' purchase, had recently fetched, under his hand, thirty-three years' purchase. As to the farmers, where they are distressed, it is because the landlords will not do for them that which they properly require; nothing that the Legislature can do for them will remedy such evils, and this they quite understand; they don't expect a restoration of protection; they don't affect to have any faith in protection; they all refer their difficulties to causes of a more domestic kind—to matters which must be settled between them and their landlords—matters which we never hear of in this House. Ask about the labourers; are they well off? They are notoriously better off than they have been for many years. You have been told so for two years past, by both landlords and farmers. "It is owing to emigration," you say. Ay, in some places some have gone off, but it is chiefly owing to the great improvements in agriculture, which create a demand for labour, to the improved condition of the whole country, which absorbs the superfluous labour, and, at present prices, from their wages giving them greater command over the necessaries of life. Now, Sir, I have said that I will not weary the House with details, and I shall keep my word; but there is a statement that I have verified as strictly correct, that does so immediately bear upon the question, that interests so many in this House—namely, the effect of the recent legislation on the landed interest—that I cannot forbear reading it to the House. I happened to see this statement in a public journal, and I have taken the trouble to verify it so that I might not mislead the House. It is a very remarkable case. It seems to me to be precisely in point; it is a case in which a landowner was supposed to have been ruined in 1846, who was, from having been an old supporter of Sir Robert Peel's, extremely indignant at his protection being taken from him, supposing that his rent and the value of his property entirely depended upon the old law. He charged the Ministry of the day with all the losses which he should have to incur, and, in his distress, he sends for an agent, to consult with him in what way to dispose of his property. The statement is as follows:—

"At the time the Government made known the intention to repeal the corn laws, which is now nearly five years since, the owner of an estate of about 4,000 acres, situate in the centre of England, alarmed at the prospect which free trade presented of reduced rent and diminished income, had his attention drawn to the necessity of preparing his tenants for the lower prices they would have to take for the produce of their farms, and sought, in the improvement of his estate, for means to enable them to continue its successful cultivation. The success which has attended his proceedings offers so valuable an example to others, that I trust I shall be excused for giving some account of it. At the period mentioned, the estate was divided into farms of 130 to 300 acres, which, tithe-free and arable, with valuable pasture, were let at rents of from 15*s.* to 30*s.* an acre. The tenantry, although ancient, had held only by the year; the land, which is naturally fertile, had had scarcely anything done to improve it, and the farmers had little idea of any capability in the soil beyond what their inferior practice had developed. The quantity of pasture upon each farm allowed of a considerable quantity of stock being kept, but, as the cattle were grazing all the winter in the meadows, and no provision of winter food, except hay, was given them, the arable land had no benefit from the

> stock; and, its cultivation being upon a course without root crops, and but little assisted by manure, gave only very moderate returns. To tenants so farming, Sir Robert Peel's announcement of free trade created considerable alarm, for they, as well as their landlord, saw little chance of their continuing to do as they had done; but in the improvement of their inferior practice, and in the amendment of the general state and ill-condition of their farms, the proprietor was told there would be found ample scope to cover their reductions from free trade, and on this he was told to rely. The assistance of a new land agent, and from a distant district, was obtained, and he at once saw how much of the imperfect success of the tenants was owing to the ill-condition of their farms, and their ignorance of the improved practices which the cultivation of inferior soils had elsewhere called forth: he knew the difficulty there would be in introducing the different practices which he considered essential to the future successful cultivation of their farms, and he could only hope to effect this by at once destroying their confidence in their past practice, and making them place a higher appreciation on the capability of their soil. He determined on a course which should at once drive them to adopt a different system, and at the same time should encourage them to enter into improvements of their farms. It was with these views that at the first audit the tenants were informed they would each receive notice to quit, but that leases for twenty-one years would, at the same time be offered them, at an advance of rent of 20 per cent; that permission would be given them to break up certain portions of the pasture of their farms, after they had been drained, upon plans that would be given them; that draining tiles would be allowed them to drain all their land, but that the draining was to be done at depths and upon the plans to be laid down; that their homesteads would be improved, and sheds built to give them accommodation for wintering their stock in yards, and fattening cattle in stalls; and they would be allowed to remove all unnecessary hedges and trees injurious to the corn; but at the same time their leases would forbid their existing practice of taking two white corn crops in succession; and they would be obliged to dress a fourth of their arable land every year, and other restrictions would be introduced on what they had been in the habit of doing. It was expected in this way they might be made to adopt a more advantageous course of husbandry, and that their farms might be put into better condition, and made more productive, so as to become cheaper to them at the increased rents than they had been under the old. I must pass over the difficulties of the next three years, the stand made against these measures, the obstacles thrown in the way, the withdrawal of some of the tenants, the objections raised to the deep draining, and the attempting the cultivation of roots where roots had never grown, &c. Fortunately, some of the tenants left, and the readiness with which the vacated farms were reoccupied, and at still higher rents, and the example which the new tenants afforded, who, directed by their leases, at once proceeded to grub hedgerows, to deep-drain, and raise turnips and green crops, and better clean the land, were answers to many of their objections. And now it is to the result I would call attention, which is as follows:—this estate now affords a clear rental of 23 per cent advance on the rental of 1845. The rents are now better paid than they ever have been; the last two audits were held quicker than ever after the quarter-days, and at each the whole of the rents were collected without an arrear; and the tenants, with scarcely an exception, admit they are doing well, and their farms are cheaper than they were to them at the old rents; and well they may say so, for such crops as they have had the last two years were never before seen in their parishes. I am aware that such an instance of meeting the requirements of free trade is little likely to have the approval of tenant-farmers, and yet how far more truly beneficial has been the course here adopted than would have been that of the proprietor seeking to afford relief by reducing his rents! No reduction could have given the same relief, but would hove been mischievous.”

This is a case that cannot be singular, because I find it constantly stated by agriculturists who are properly so described, and referred to in the periodical journals which have their confidence, that, notwithstanding the long duration of protection, the land is still, in most places, in a terrible state, the buildings dilapidated and wholly unsuited to the occupations; and that, if the outlay and improvements were only made which were actually required, the occupiers of the land might be now in as good a position as ever they had been. I need only allude to the journal of the Royal Agricultural Society, with which every Gentleman opposite must be familiar, and to the prize essays which are given every year upon the husbandry of every county, to confirm my statements. I have seen those essays. There is not one within these two years that either refers to protection or to legislative relief; but they speak of that relief which a landlord is able to bestow upon his tenants by improving his own estate, and which he has not yet made. [“Oh, oh!” *from the Ministerial side of the House.*] I want to establish that protection has been an evil to agriculture, and has not promoted improvement, and I will just read a few extracts from these essays. [“No, no!”] Hon Gentlemen may be disinclined to have such facts published; I don't want to make them known, but I wish to show that no relief can be given by this House; that protection has done unqualified mischief; and that, if agriculture is to be improved, it must be by the owners and occupiers of land themselves. In the prize essay of the Royal Agricultural Society on the farming of Kent, after stating “that the further advancement of agriculture in the cold clay districts of Britain essentially depends on draining,” the writer says—

"Before draining can be successfully carried out on the Weald and other enclosed portions of the county, the small fields must be enlarged by grubbing hedges and felling trees. Not less, perhaps, than an *eighth* of the entire area of the entire arable land of this extensive district is occupied by hedges and trees, taking into calculation the ground that is injured by their roots and shade. Many of the fields consist of only three or four acres; the mere mechanical disadvantages, therefore, of cultivation are obvious, especially when it is considered that upon this heavy soil four horses are usually worked at length in ploughing . . . . . .

"Lost fallows, as they are aptly termed, not unfrequently occur in wet autumns in small enclosed fields, where light and air are in a measure shut out. Thus nearly a whole year's expenses, and perhaps a dressing of manure, are almost lost. There are many thousand acres in the Weald of Kent which cannot, under existing circumstances, be cultivated without a positive loss, that might be made to yield of most kinds of corn a full average of the kingdom. . . . . . .

"The fatal mistake characteristic of this district is to allow high wood and trees to grow in the hedges of arable land in small inclosures . . . . It is common to see very inferior trees do more injury in three or four years to the crops than the whole value of the trees will amount to after continuing the mischief for half a century."

"The district possesses within itself the means of its own amelioration. All that is required is to go about the business in a judicious manner. . . . . . . The cheapest and most effective way of carrying out the great object (the improvement of the district) would be for owners of land to commence their operations systematically, and do nothing by piecemeal. . . . . . . The best way would be for the landlord to pay the whole expense of the draining, conducting it under his own superintendence, and to charge a fair percentage on the rental. A judicious outlay might be made to yield in many parts of this county five or six per cent, with a great advantage to the occupying tenant."

Now these observations are in a great measure applicable to all our heavy land districts. I won't read the essays from other districts, but I have them here from the different counties—there are Norfolk, Northamptonshire, West Riding of Yorkshire, and Cumberland; their contents have the authority of a journal which I am sure hon. Gentlemen opposite must read, and they all agree that the only thing necessary to make the agricultural interest prosperous is, that the owner and occupier should agree on those obvious improvements which in many instances already have been employed with the greatest success. Again, I must say, that if ever we see reported what the farmers say or require, it is generally something else than a return to protection. I don't say they would not like high prices if they could have them without a rise in rent. But looking at published reports of the meetings of farmers, you will see that they complain; but their grievances are not such as the Legislature can remedy. They have very distinct grievances, and I own that I feel that sympathy for the farmers which one has for any other class of his fellow-subjects, who feel that they are aggrieved. ["Oh!" *from the Ministerial side of the House.*] I say they are a most valuable—not the most, but a very valuable portion of our community; they are a portion of the middle class—the productive class, who invest their capital in the cultivation of the soil. Who can, or who ought to be, more respected for their usefulness? Can any man who pretends to dilate on the interests of the community at large exclude those of the farmer, and treat his interests with less regard than those of any other class? My judgment at least does not lead me to do so. I think they are a most interesting class. And I say that the time has come when their interests must be more considered in this House than they have been. I can't help thinking that the farmers have been a very ill-used class. In my opinion their distress has been made capital of by the Gentlemen opposite. I don't know any class of people who have been so deluded. It is not their fault if they are not so quick as other people. Circumstances determine men's intelligence and characters, and their circumstances have not been likely to make them more intelligent than other classes of the community. But is that a reason why you are to impose upon them and to traffic with their ignorance? I say that these unfortunate people have been led to believe that they had friends in Parliament, friends who would secure to them some advantages, though at the expense of the community, by which they would be able to live, succeed, and prosper. Those promises have been held out to them for thirty years and upwards by a class of persons in this country who have lost nothing by making those promises. They held out to the farmers, that if they returned them for the counties, and gave them political support, they would either pass Acts of Parliament, or maintain Acts of Parliament, by which they would be enabled to get high prices and to live comfortably. I say that those people have been grossly deceived, sadly disappointed. They had promises made to them in the name of Parliament, but they did not have the fulfilment of those promises. They have been promised first one thing, then another; first one price, then another; but they have invariably been deceived, and never more deceived than latterly, because they have been encouraged to think, that, under the altered circumstances of the country, they need not help themselves, that they had only to rely on their friends, that they must go to Parliament again, and that what had been taken from them should be restored to them. I say that when people have been so treated they have been grossly deceived, and any independent man may well feel sympathy for them. But, when I listen to their own story, I find that it is not protection, or Acts of Parliament, or political friends, that they dwell upon themselves. There are certain things always specified at farmers' meetings, but if any one mentions them here he is either told that he knows nothing of the agricultural interest, or that he is intruding matter which is irrelevant to the subject. There are a few things I say invariably mentioned. One is the law of distress. Another is, the law of settlement. Another is, that the law should be better defined which awards compensation to outgoing tenants for crops or unexhausted improvements; and another is, that no privilege should be given to any person that tended to keep up or increase that which destroys their produce—namely, game. If you refer to any farmers' journal, you will find that those are their grievances, and yet they are never discussed in this House. The law of distraint is a very serious injury to the farmer. His credit is seriously impaired by it. The landlord always comes in before any other creditor; and, who, under such circumstances, likes to advance him money on the security of his stock, but which money he wants for making improvements. Another evil of this law is, that it makes the landlord much more careless whom he selects for his tenant, which produces a very mischievous kind of competition: all sorts of people come into the market for the land, and the landlord is generally safe, for there is always enough on the farm for six months' rent. Then, again, I really thought, judging from some opinions which have been expressed by certain Members of the Government, that that law which affects the farmer most materially, and is a positive evil in this country—the law of settlement—would have been one of the measures dealt with by the Government. There is nothing that the farmers complain of more than that, from its mischievous effect on the character of their labourers. Then, with respect to game, and to what they term "tenant-right," but which may be interpreted by having the law better defined than now with reference to compensation to outgoing tenants; these are mischiefs which the farmer complains of, and real relief cannot be given to him, whether by the Legislature or otherwise, except by remedying those evils. Then, with respect to the owners of land—and I allude to the different branches of this interest to show not only that protection cannot be restored with any advantage, but that it has not been removed with any ill effects, and that if you want to benefit the agricultural interest it cannot be by the agricultual relief which we hear of in this House. Well, but as to the landowners. Generally they are well off in this country at present. The noble Marquess the Member for Leicestershire, who knows a great deal about the agricultural interest, admits that the landowners are very well off, and that they have nothing to complain of, for if they had, he thinks they would take care to remedy the evil for themselves. The landowners have not anything to complain of. They have great advantages. Everything tells in their favour. At no time was there such a desire to purchase or to occupy their land as at present. There never was a time when they obtained money so easily, and everything has been made cheaper to them than it used to be. Then the labourers, by the admission of every person, are better off now than they used to be, and have been so ever since provisions fell. I have here a proof of it, in a letter from Wiltshire, from a person in a position to know the views of all classes, who says, "There is nothing that many of the labourers have more at heart now than getting a picture of Sir Robert Peel to hang over their fireplaces—they are so well off. Almost to a man, the labourers are for free trade. I can't say so much for the farmers, because they are led to look still to the restoration of Protection, rather than to any other arrangement, to improve their condition." The labourers, then, are free-traders. The landowners are well off, and the farmers are kept back or are standing still under the delusive hope that, since their friends are in power, Protection will be restored. Before I proceed to make any further statements as to the great advantage of removing Protection from any interest, I challenge the right hon. Gentleman the Chancellor of the Exchequer to prove that any injury to any great interest has resulted from its removal. I don't deny that there are individuals who may, under the peculiar circumstances of their case, have been unable to endure the transition; but that is a very different thing from the way in which the interest generally has been affected. I don't deny that there are things affecting great interests in this country, and thereby the country at large, that ought to have been done long since, and should no longer be delayed. These things may severally affect the shipping interest, the agricultural interest, or the colonial interest; but such matters are entirely independent of the removal of Protection, and ought not to have existed while even that system prevailed. What I contend for is, that protection is a positive evil in itself, to the nation and to the protected interest; that nothing but advantage has attended its removal, as six years' experience has now established. I challenge the right hon. Gentleman to disprove what I have said; and until I understand that he does so—until I hear any statement from the opposite side of the House controverting my position on this subject—I shall not weary the House by any illustrations of fact. I am in possession of the most extraordinary details of the prosperity of the country that could ever have been collected at any period of its history. I don't hesitate to say that this country is in a state of most unexampled prosperity; that the manufacturers and producers in every part of the country are unable to execute their orders; that the people never were so well off, owing to the wages they receive, and the command which those wages give them over the comforts and necessaries of life; and that all this is more than mainly owing to the emancipation of trade and manufacture from restriction in most important particulars, and the stimulus thereby given to production and employment, and not to those other causes to which either the Earl of Derby or his Colleagues are pleased to ascribe the prosperity of the country. And I think it is unworthy and ungrateful when we see the great prosperity of this country, and when we see it so obviously connected with those changes in the commercial policy of the country to which I refer, that there should be a poor attempt by vague and indefinite expression either to underrate that prosperity, or to ascribe it to any other cause. I call on the right hon. Gentleman to explain distinctly to us what it is the Earl of Derby means by the influence which the discoveries of gold in Australia, and emigration, have yet had in producing the prosperity of this country for the last two years. Let us have that ascertained, and not left to vague assertion. I beg the right hon. Gentleman to state to us distinctly what is the influence which the influx of gold into Europe, or into England, has had on the present condition of the country. I am perfectly willing to admit that the discovery of gold, like the production of any other article, has given activity to trade between this country and the countries where it was produced, and which, as concerns that article, did not exist before, but only in that respect as any other article in general demand would have done, but not to a greater extent than any other article. It has been an article valuable for commerce, available for immediate exchange with every part of the world, and therefore a most valuable product to those countries where it is found, giving them a means of receiving in exchange the products of other countries. The noble Lord at the head of the Government, however, seems to ascribe the present position of the labouring class chiefly to the discoveries of gold in Australia and other parts of the world. I want to hear that explained; because, if I read the statement of the noble Earl aright, it was, that inasmuch as the influx of gold into this country had raised the value of every article in this country, therefore it had raised wages and improved the condition of the people; but the statement of the right hon. Gentleman opposite, and of the Government generally, as I understand it, and as the Amendment they proposed proved, is, that the improved condition of the people is owing to the cheapness of provisions. Now, which is the case? Is it the Australian diggings which have raised the price of wages and every other article, or is it the cheapness of provisions? The right hon. Gentleman, I know, will make all this clear. Then, with reference to emigration, that statement of the noble Earl's is not very distinct; there is a sort of ingenuity in confounding Irish emigration with English emigration. I want to know what effect that has had upon the condition of the people of this country. As far as I understand it, the great amount of emigration which has taken place from this country has been within the last six months.

That, therefore, will not account for the improved condition of the working classes for the last two years. Besides, if any man examines the returns of the countries from which the people emigrate, they will find that, whereas England and Scotland supply something like 100,000, all the rest consists of Irish who have gone to America, not to Australia. How does that account for the improved condition of the country by the efflux of the people? Then he has not told us what class of our countrymen it is that have gone to Australia. It happens to be peculiarly not the class to which he refers. They have been persons rather above the labouring class; persons who have, I believe, taken capital with them, and have, perhaps, rather belonged to the middle class. To underrate but admit the prosperity, and ascribe it to other causes than the adoption of Free Trade, is consistent with adherence to the principles of Protection; and that may, perhaps, be the purpose of the language employed by Gentlemen opposite. I hope the right hon. Gentleman will not overlook this matter in his speech, for it is part of our business this evening to solve the question, whether the abolition of protection has been attended with any evils, or whether it has not alone produced the advantage to the country which we are all observing. We must have an opinion expressed to-night on these facts, and learn from the Government, composed of men formerly Protectionists, whether the prosperity is not fairly to be traced, directly and indirectly, and beyond all fair dispute, to the operation of that commercial policy which was commenced by the late Sir Robert Peel, and has been continued by the noble Lord the Member for the City of London. And now, Sir, I shall bring these remarks to a close; and in doing so, I beg once more emphatically to say that I have no other object in view than that which has guided me, ever since I have been in the House, on this question, which has reference to the great matter in dispute, and to that alone. It is not to serve a party—it is not factious, it is not personal. I say once for all, that my object is not to displace hon. Gentlemen opposite. I don't want any of their places myself, I can assure them—and I don't want the House to take this Motion as necessarily a Motion of want of confidence in Her Majesty's present Ministers. [*Cries of* "No, no!"] Why, certainly they have said so themselves. They have volunteered that declaration—that they do not possess the confidence of this House upon the great questions on which the last Parliament was dissolved. They said so at the opening of the Session, and have repeated it since, that they have not changed their own opinions, while the opinion of the country remains against them; and therefore I say, they admit that they have not the confidence of the new House of Commons. If they had changed their opinions on the subject of free trade, and this being a free-trade House of Commons, as Ministers of the Crown, they might be said to have the confidence of the House; but if Lord Derby does truly represent the rest of them, then, inasmuch as he adheres to his former views, they are in an undoubted minority in this Parliament. But I do want, for what I believe to be great national reasons, to have this Resolution carried, and to have the views of the House of Commons on this question most distinctly, most explicitly, and most emphatically expressed; and more especially do I want this Resolution to be placed on record, in order that we may at least, during this Parliament, have a settlement of a matter which, while unsettled, leaves men of business in this country in doubt, and which leaves the rest of the world undecided, as to what the permanent commercial policy of this country is to be. I do hope, therefore, that the right hon. Gentleman the Chancellor of the Exchequer will not attempt to evade this real question by talking of factiousness, or by impugning my personal motives; but that he will address himself in a straightforward way to the question before the House, and that he will not sit down without letting us at last know what he does really mean. Already enormous mischief has been done by the course taken by the hon. Gentleman opposite ever since 1846. I know, from what I have heard and from what I have seen on the Continent, that there people exaggerate the importance of the party to which hon. Gentlemen opposite belong; they imagine that Lord Derby does represent a strong section of the English political community, and that he has acquired, or will acquire, the power eventually to reverse the policy of Sir Robert Peel; and it is indeed notorious that in those instances where foreign nations are disposed to change their own commercial policy, the movement is retarded because their Governments are compelled to notice the continued existence of this so-called Protectionist party in this country; there are people both here and abroad that will never adapt themselves to the altered circumstances of our commerce while this policy is left in doubt, and constant mischief is still being done, as it has been done, by the agitation and assertion of these protectionist and anti-free-trade views; and therefore it is that I do contend that the importance of some distinctly worded Resolution such as this, with the hon. Gentleman now in power, and which shall be taken as a final decision of the Parliament and of the country, cannot be overrated; and I now conclude by moving it once more, emphatically stating for myself that I have not another object in it but that which has influenced me for fifteen years past, in seeking to establish and make safe the commercial policy which has recently been adopted.

Motion made, and Question proposed—

> " That it is the opinion of this House, that the improved condition of the Country, and particularly of the Industrious Classes is mainly the result of recent Commercial Legislation, and especially of the Act of 1846, which established the free admission of Foreign Corn; and that that Act was a wise, just, and beneficial measure."

The CHANCELLOR OF THE EXCHEQUER: Sir, if the speech which we have just listened to with so much interest—as we always do to anything which falls from the hon. and learned Gentleman—had been a speech in favour of the repeal of the corn laws, or in favour of the repeal of the sugar laws as they existed some time ago, I think it would have been much more appropriate than upon the occasion on which it has been delivered, because the question which we have to decide to-night is, not whether the corn laws shall be repealed, not whether the sugar duties shall be repealed; not whether protection or free-trade—to use the somewhat inaccurate language of the hon. and learned Gentleman—should be repealed or supported; but whether Her Majesty's Ministers, by their conduct since their accession to office, have fulfilled the pledges they gave to Parliament and the country; and whether, having announced that they would defer their own opinion to that of the country on a subject of great importance, they have frankly or otherwise communicated to the House the resolution at which they have arrived. The hon. and learned Gentleman has just told us that enormous mischiefs have been done to the country by the course which has been pursued by the Protectionist party since 1846. If, Sir, it be true that enormous mischiefs have been done to the country by the conduct of the Protectionist party since 1846, I am far from wishing to escape from the issue before us; and I say that it is the duty of the House of Commons, if that statement should be proved, to express in a manner which cannot be mistaken, that they have no confidence in men who have perpetrated "enormous mischief." Under these circumstances, therefore, I hope that the House will allow me, in a calm and dispassionate manner, to trace our conduct since the period to which the hon. and learned Gentleman has referred. I hope they will allow me—I ask it the more especially as there are many Gentlemen in the House who have obtained seats in it for the first time—I hope, I say, that they will allow me to place before them, in an impartial and accurate statement, the principal parliamentary incidents which have occurred during the last four or five years, in so far as they bear upon this great question. I feel it to be my duty not only to the Government but to Parliament and the country to do this: and I am persuaded that the inevitable and irresistible inference which the House will draw from my statement, and the conclusion which every impartial mind will arrive at, will be very different from that which the hon. and learned Gentleman has attempted to establish by the convenient generalities in which he has indulged.

And now, Sir, in the first place, let me state, in a manner that cannot be misapprehended, the principal reasons on which we opposed the repeal of the corn laws as proposed by the Government of the late Sir Robert Peel in the year 1846. We opposed that change on two broad and distinct grounds. The main ground was, that we believed it was a change which would prove injurious to the interests of labour. That was the main and principal ground on which I myself individually placed my own opposition to it. Was it or was it not the cause of labour? That was the main ground of our opposition to it. We opposed that change for a second reason—because, irrespective of the great and principal objection which we entertained to it, we believed it would occasion injury to considerable interests in the country. On a subsequent occasion, in 1850, when the matter was incidentally referred to in the House, I myself used the expression with reference to the corn laws, that it was a question of labour, or it was nothing. Well now, Sir, after the repeal of the corn laws, there were two other great measures connected with that system of commercial policy which is popularly, but very indefinitely, described by the name of free-trade, which were proposed and carried. The Minister who proposed the repeal of the corn laws, and carried it, was dismissed from office, and was succeeded by another Minister who proposed the repeal of the sugar laws: and this proposition for the repeal of the sugar laws was not approved by the Minister who repealed the corn laws. I mention this circumstance because this question has always been argued as it has been argued to-night, as if from the beginning there had been two great parties in the House—the one banded together to carry what was called free-trade in all the great articles of popular consumption, and the other marshalled for the purpose of opposing that policy. Shortly after the repeal of the sugar duties was carried, Parliament was dissolved, a new Parliament assembled under the management of the noble Lord the Member for London (Lord John Russell), and, after considerable delay and hesitation, another great measure—the repeal of the navigation laws—was proposed and carried. There commenced then in due time the complaints of three great interests—the agricultural, the colonial, and the shipping interests. I may fairly say that the five years which elapsed between the election of 1847 and the recent dissolution, were mainly engaged in discussions or in legislation upon the agricultural, colonial, and shipping distress.

Now, let me put this fact before the House—it is a fact which it may be convenient for some hon. Members to forget, but it is one the accuracy of which cannot be questioned by those who have had experience in the business of the House, and which it may be well for those who have not that experience to become aware of—that from the time that the repeal of the corn laws was passed until this present moment, not a single attempt has been made in the House of Commons to abrogate the measure of 1846. [*Cries of* "Oh!"] I may be pardoned if I remind hon. Gentlemen who have seats in this House for the first time, that it will be for the advantage of our discussion not to interrupt me now, because an opportunity will be afforded to every one who has anything to say to offer his remarks to the House; and, perhaps, I may add, that those who have been accustomed to tumultuous discussions on platforms will find that in the House of Commons it is necessary to be more accurate in their statements than elsewhere. I repeat the statement which called forth the interruption—I repeat it on behalf of the party who have "perpetrated enormous mischief"—that from the moment the corn laws were repealed till now not a single Motion has ever been made in this House—at least, with the sanction of any party—to bring back that protection which has so unnecessarily been attacked to-night. Now, Sir, let me ask what was the reason we did not bring forward a Motion to question the policy of the Act of 1846, which, up to that time, we had consistently and honourably opposed? It was because we had laid it down from the first as a great principle that the fate of that proposition depended not on the injury it might inflict on any particular interest in the country, but on the way in which it should affect the condition of the working classes; and, there being no facts before us of a sufficiently large character to convince us that the condition of the working classes had been injured by the Act of 1846, we did not think it our duty to make any Motion, when in opposition, which questioned the policy of the law. Well, now, Sir, let me remind the House what was our conduct with respect to the other two branches of this great question. Did we—did the party who are said to have perpetrated "enormous mischiefs"—did we, on the subject of the sugar laws, act in that factious spirit which has been described by the hon. and learned Gentleman, who is himself so susceptible with regard to imputations of factious conduct? What did we do with regard to the sugar laws? When accounts were received in this country describing the state of distress—I might almost say of devastation—which had befallen these Colonies—when it was impossible for any man who was doing his duty in the House to be silent on the subject—what was the conduct of the party who have perpetrated "enormous mischiefs on the country?" A noble Friend of mine—alas! now no more—in his place in Parliament, made a most forcible statement to the House of the distress that existed, but asked for nothing more than an inquiry; and in accordance with this request the House granted a Committee to investigate the condition and prospects of the colonies which produced sugar and coffee. It is unnecessary for me to remind the House of the elaborate and complete investigation which took place. Who formed that Committee? Why, Sir, of the fifteen Members of which it was composed, only three were Protectionists, namely, the hon. Member for Somersetshire (Mr. Miles), my right hon. Friend the Secretary of State (Sir J. Pakington), and the noble Lord the Member for Leicestershire (Lord G. Manners). There was, indeed, one hon. Gentleman favourable to protection in sugar—I mean the hon. Baronet the late Member for South Essex (Sir E. Buxton), whose absence, but for the fact that he has been replaced by an hon. Friend of my own, I should greatly regret. There were on the same Committee two Members of the Government of the late Sir Robert Peel—I mean the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn), and Mr. Cardwell. There was also a Whig Cabinet Minister (Mr. Labouchere), and of course, being a Whig, a sincere free-trader. There were, besides, six Gentlemen of remarkably pronounced opinions on all questions relating to free trade. I shall read their names, for they are quite classical on such a subject. There were the late hon. Member for Liverpool (Sir Thomas Birch), the hon. and learned Gentleman who made the Motion to-night (Mr. C. Villiers), the right hon. Member for Manchester (Mr. M. Gibson), the hon. Member for Westbury (Mr. Wilson), a Member for a Scotch borough, and another hon. Gentleman, who I am not sure whether he is a Member of the House or not at present. Out of the fifteen Members, I repeat, only three were Protectionists—there were only three men belonging to the party which by its interference on the subject had "perpetrated enormous mischiefs." And what was the result of the Committee? The result of the investigation by this free-trade Committee was, that they came to a resolution that there ought to be a differential duty of 10*s.* per cwt. between foreign and colonial sugar. Well, Sir, if there were "enormous mischiefs" done on this second branch of the subject, let hon. Gentlemen opposite take their share of them. But what happened in consequence of the efforts of the Protectionist party? That intense free-trader, the noble Lord the Member for London—the noble Lord who, after the gracious Speech from the Throne—after the speech of the First Minister of the Crown—after the notice which I gave of the Amendment which I intended to propose to-night, which even the hon. and learned Gentleman the Member for Wolverhampton has deemed so satisfactory—the noble Lord who, after all that, had the courage to rise up in his place and say that the question to be decided to-night was whether we should retain free trade or return to protection—Sir, I thought I listened to the tones of the Appropriation Clause when I heard that voice—that noble Lord who, on the night when it was proposed that there should be a call of the House, had the audacity to make this declaration—came down to the House when he was First Minister of the Crown, and owned that his legislation on the subject of the sugar duties had been rash, precipitate, and injurious—that its action had been far more rapid than he had contemplated, and asked leave to introduce a Bill immediately to suspend the change of duty, and prolong the protection which he himself had taken away. Well, now with respect to the first question—that of the land—I have shown to the House that the party who perpetrated "enormous mischiefs," from the very moment the repeal of the corn laws was carried, never attempted to disturb that law in this House. I have shown that, with respect to the sugar laws, they confined their exertions to a calm and elaborate investigation of facts, and that the consequence of that investigation, pursued with so much energy, and sustained with so much knowledge, was, that we who were in opposition influenced the conduct of the Minister of the day. And therefore, on these two heads, I think I have shown the House that the general accusation of the hon. and learned Gentleman has no foundation. I come now to the third branch of the question. We opposed — and not we merely, but many of Sir Robert Peel's followers opposed—the repeal of the navigation laws. Have we ever since attempted to abrogate that decision of the House? On the contrary, the present First Minister of the Crown, after the passing of the measure, took an early opportunity of saying that he thought that change in our legislation was one which we could not reverse; that it was a step which it was impossible for the Legislature to retrace. And now, Sir, let me—tracing the conduct with respect to these great questions of those who had perpetrated "enormous mischiefs" on the State—let me remind the House of their conduct since the repeal of those three great laws has taken place. Not having in any instance attempted to disturb the decisions of Parliament on them, circumstances at length arose which called the attention of the Protectionist party to the condition of the cultivators of the soil in this country. When the general election of 1847 took place, the organisation of political parties was entirely broken up; very high prices for all kinds of farm produce, from peculiar causes, then existed; and the opinions which influenced the constituent body on that occasion could hardly be said to have had any reference to the principles, the merits, or the possible consequences of recent legislation. A large Protectionist party was indeed returned to this House from a feeling which always animates great bodies of people in this country, who think they owe sympathy and gratitude to those who have fought their battles or carried their colours. [*Laughter.*] Hon. Gentlemen may deride this feeling, but they may rely upon it that if this feeling do not exist, Parliamentary government would soon be a mere name. But it is very well known that at the election of 1847 the economical controversy was not at all entered into, at least by the farmers. The farmers were then, as I have said, receiving high prices, and political parties were in a state of disorganisation; and, although a large party was returned to this House in favour of what is called the agricultural interest, the fact is, that no pressure from that interest, or from any of the cultivators of the soil, was made to induce their advocates in this House to bring forward their complaints. In 1850, however, the pinch which we foresaw not only commenced, but was in acute operation. What was then the conduct of the party who have perpetrated "enormous mischiefs?" We were then pressed upon by our constituents, and by those whose interests were naturally dear to us, with complaints of their great losses and sufferings; and that they had great losses and sufferings I need not attempt to prove, because we have always a ready witness on that subject in the hon. and learned Member for Wolverhampton. But when our constituents came to us, what was our course? Did we come forward and demand the restoration of protection? On the contrary: we said we opposed the repeal of the corn laws on two grounds. The first and most considerable ground was, that it would injure the interests of labour; and the second and subordinate ground was, that it would probably do injury to you, the corn growers. We are not satisfied that the interests of labour have been injured by the change. We cannot, therefore, lend ourselves to the cry of the farmer, and demand the restoration of protection on his account. [*Laughter.*] I can only tell the hon. Member who laughs that in a deliberative assembly it would be better for him to meet argument with argument. If my arguments are not sound, or my statements not accurate, let him expose them. I say that our advice to our constituents was, that we could not, because their interests were suffering, recommend a return to a Protectionist policy, and that, in our opinion, nothing could justify a return to that policy but proof of injury to the great interests of labour, which we believed from the beginning would be affected by it. But we said to them, "If you find your sufferings acute, if you find your distress is intolerable, if you find the cost of production not remunerated by your returns, we will consider your position with reference to taxation, and, if we can relieve you of burdens which others are not subject to, or by any other means equally justifiable give you relief, we will do our duty to you in the House of Commons, and we will endeavour to obtain you that relief." In pursuance of this advice, and at the request of my friends, I brought forward in this House a Motion of a remedial nature, and received, if not the sanction of the House, undoubtedly considerable sympathy. Now, in 1851 a change of Government very unexpectedly took place. In 1851—I beg hon. Gentlemen to remember the dates, for they are very important if you wish to arrive at an impartial estimate of the position of Government—I say, in 1851, at the first moment the House met, I gave notice of a Motion, the object of which was to relieve the cultivators of the soil from the pressure of certain local taxation—not a measure to restore protection, not a measure to question the policy of the repeal of the corn laws, but a measure brought forward with a distinct disclaimer on my part of any wish to enter upon that question, and with the statement that I thought it most unwise to make that controversy one of public discussion in the House of Commons, and that any recurrence to the system which had been abrogated could only be justified by the overwhelming opinion of the country. I brought forward this remedial Motion with regard to agriculture, which was, I think, lost in this House—and in a very full House—only by a majority of 10 votes. I may say that the division upon that question displaced the Government from their seats, because, although they did not resign office upon that point, yet, on finding themselves a few days afterwards upon another subject, and in a very thin House, in a minority, they did feel it their duty to resign; and the noble Lord opposite, in a statement which he subsequently made in this House, referred to the division upon my Motion as that which had mainly decided the opinion of the Government. Well, under these circumstances, the Earl of Derby being recommended to the notice of his Sovereign by the then Prime Minister of the country, was called upon to form a Government. Now, look to the position of Lord Derby at that moment. He was at the head of a party in Parliament, one principle of whose conduct was that it was unwise to disturb the repeal of the corn laws which had taken place in 1846, unless called for by the nation in an unmistakeable manner. He had recommended that course while there was a most powerful party in the country discontented with the advice which he gave; and are hon. Gentlemen to be surprised that there should be a strong party in this country favourable to what they call protection, notwithstanding the course which we might feel it our duty to take in either House of Parliament? We must remember that the farmers of England, according to the statement of the hon. and learned Member for Wolverhampton, had at that very time lost upwards of 90,000,000*l*. in one year. Well, it might be perfectly wise, just, and beneficial, that a body of English producers should lose more than 90,000,000*l*. in a single year; but this I will venture to say, with great deference to all those lights of political economy whom I see opposite, that you may rely upon it, that so long as human nature remains what it is, a large body of producers will not lose millions without feeling very much discontented at the legislation which has caused such loss, and without challenging the justice of the legislation of which they are the victims. But you had something more than this. You had the great colonial interests of this country in a state of absolute ruin; and, in addition, you had the great shipping interest subjected to unrestricted competition by a Minister who, at the same time, did not remove those burdens and restrictions which, only six months ago, he told the greatest commercial constituency in the world absolutely impeded its prosperity. Are you surprised, then, that there should be an important party—a party that, from their numbers and their great and ramified interests, may be fairly called a national party—who were discontented with the recent legislation to which I have alluded? Lord Derby, however, had made up his mind that nothing could justify a return to the abrogated system unless the labouring classes were largely and permanently suffering. What then was the conduct of Lord Derby in 1851? He was called upon unexpectedly to form a Government. He had to announce a policy which, while it showed sympathy with those great classes in the country, the sufferings of which are always proved by hon. Gentlemen opposite, would be consistent with the principle he had laid down for his Government, that they should not disturb the existing laws unless the working classes were suffering from their adoption. The programme of Lord Derby was one of compromise and of conciliation. How moderate it was I will show by recalling it to the consideration of the House. In 1851 did Lord Derby come forward and say, "We must return to the sliding scale of 1846?" On the contrary, he said—"I will propose, as regards the agricultural interest, now suffering so much, that we shall have a countervailing duty, such as has been approved of by men of the highest character and authority upon such subjects. You acknowledge the agricultural interest is subject to certain peculiar burdens as regards taxation, and to certain restrictions as regards their industry. Well, I open books of great authority in political economy, and they tell me that a countervailing duty is the legitimate compensation under such circumstances." I know that one of the most distinguished statesmen of the day, and an undoubted free-trader—the noble Member for Tiverton (Viscount Palmerston)—when he consented to the repeal of the corn laws, yet, speaking as a statesman, repeated his regret that in the passion of the moment the opportunity had been lost of raising a revenue and of accomplishing other national objeccts by the imposition of a countervailing duty. Then, in 1851, a moderate countervailing duty was the proposition of Lord Derby, and not an attempt to disturb the settlement of 1846. The policy of Lord Derby having been expounded in a speech in his place in Parliament, a record remains which an uninformed sneer will not disturb. [3 *Hansard*, cxiv. 1003.] What, then, was the conduct of Lord Derby with regard to the sugar duties? [*The right hon. Gentleman was here interrupted by some conversation among hon. Members on the Opposition benches.*] I hope that, as the Government are on their trial, hon. Gentlemen will do me the honour, as an honest jury, to listen to my statement. Did Lord Derby propose any recurrence to the laws which had been repealed in 1846 under the protest of the late Sir Robert Peel? Not in the least. All Lord Derby proposed was, that the descending scale of duties should be arrested, and that only for a time, while the Colonies were suffering from the great trial through which they were passing. Again, I will ask, did Lord Derby propose to re-establish the abrogated navigation laws? On the contrary, Lord Derby declared that any recurrence in that respect would be impossible, after the removal of those restrictions which the noble Lord opposite himself condemned. Lord Derby did not succeed in forming a Government in 1851. It, therefore, became necessary to consider his position with regard to this question; and, after due consideration, it was his opinion that it would be extremely unwise and injurious to bring forward in Parliament, in that or any subsequent Session, any Motion which directly or indirectly continued the great industrial controversy which had been so long maintained. He was aware that there was a party in the country which would not allow their course to be dictated or their feelings to be regulated by a mere Parliamentary party. It was not for him to tell men who were suffering, they were never to obtain relief; but he said, what I think he was entirely justified in saying, adopting what I conceive to have been a wise and proper course, that if the nation was aggrieved, an early opportunity would occur for the nation to relieve itself. He considered after his failure in the formation of a Government in 1851, that, so far as moral certainty was concerned, the dissolution of Parliament must take place under the advice of the noble Member for the City of London; and he looked to that dissolution, under the auspices of his political opponents, as the proper occasion on which to conclude for ever this great controversy. After having done my best—under circumstances which must, of course, have been mortifying to any party—namely, the noble Lord's failure in forming a Government—to rally the spirit of my friends in this House—in perfect concurrence with Lord Derby's advice, and in complete sympathy with all his counsels, I resolved, as I communicated to my friends at the time, that I would not bring forward any question in this House concerning the incidence of taxation on agriculture, because such a course might be liable to misconception—the Government might be pressed, and consequences might occur which we wished to prevent. Well, in 1852, when Parliament met, although at that time, from political causes, independent of the general feeling of this House, it is very possible that if I had brought forward a Motion on the incidence of taxation upon agriculture, I should have carried it, or at least should have been defeated by a majority so slight that the Government would have been shaken to its base, I scrupulously refrained from giving notice of any such Motion. I did not wish the controversy to be prolonged in this House. I looked to the inevitable and impending dissolution of Parliament, which would take place, as I thought, under the advice of our opponents, as the event that would undoubtedly settle the question for ever. Well, what did occur? Why, that occurred which no imagination could have supposed. There were internal dissensions in the Government—a Government so favoured by its opponents that we would not advance, scarcely even to do our duty, lest we might inconvenience them—the Government fell to pieces from internal dissension, and Lord Derby, by the advice of the noble Lord opposite, was again sent for by Her Majesty. Well, what was the conduct of Lord Derby under these circumstances? It was a result that we did not anticipate, and, what was more, that we regretted; but I will ask the House —I will not say as men of honour, but as men of common spirit—could we possibly have refused the duty which was almost thrust upon us? Our political opponents wished us to occupy their places; this House wished us to undertake the Government; I may safely say, that there was no section of men in the country who did not wish to see some Government formed; and I suppose that no body of men ever acceded to office with such complete absence of party passion and party feeling. Well, that being the state of the case, I was very much surprised, as our position regarding our antecedents was pretty accurately known, to find that the hon. and learned Gentleman opposite (Mr. C. Villiers) the stormy peterel of Protection, who always appears at a particular crisis, came forward and wished to know, on the first day of my taking my seat after my re-election, whether the Government was about to propose a recurrence to a protective policy? The same inquiry was made in another place of my noble Friend (the Earl of Derby). Our answers were in complete harmony with all we had said before—namely, that we had acceded to power by no Motion connected with this subject, on no Motion of our own, and under circumstances which we could not possibly have anticipated; that there seemed to be a unanimous feeling, both in the House and in the country, that we should administer public affairs; that it was not our intention to propose any recurrence to the abrogated laws; but that, in consistency with all we had said, but still more in deference to the feeling of that great party out of doors, who had a right to look to us for the constitutional opportunity of declaring their opinions, we should at an early opportunity recommend Her Majesty to ascertain the sense of Her people, and that this decision of the country upon the subject would be final.

Now, Sir, before I arrive at the dissolution, I may, perhaps, be permitted to state what was the conduct of the party who had perpetrated for six years such "enormous mischief," when they were—almost against their consent, and certainly with not too great confidence in their own abilities—obliged to become Ministers of the Crown. We found, when we acceded to office, that there were reasons which rendered an immediate appeal to the sense of the people most inconvenient to the public service; and although we wished, and willingly pledged ourselves to the House, that that appeal should take place at the earliest opportunity possible, still we found that it was necessary to administer previously the affairs of the country for a certain time. There were technical reasons which rendered the lapse of at least two months inevitable. The lapse of double that time would have allowed us to carry measures of the greatest importance to the State. The two measures which we considered of paramount importance were, the one for the defence of the country, the other for the reform of the Court of Chancery. The measure for the defence of the country was received with derision by the noble Lord the Member for the City of London. He exhausted all his powers of amiable cynicism upon that measure. He revived and reorganised the Opposition; and, as if the trumpet of political warfare could not sound in that ear without his wishing to take the trenches of the enemy, I really thought the Government were to be upset on the Militia Bill about a month after they had acceded to office. There is no form of ridicule and no prophecy of disaster which the noble Lord and others did not bring to bear upon the absurd scheme of a militia raised by voluntary enlistment. Yet the party which had perpetrated "enormous mischief" persisted in their course; and they carried their measure, which has met with eminent and unprecedented success, and has given to this country a powerful and popular force. But no sooner had we provided for the defence of the country than we thought it our duty to carry out the recommendations of the Commission with respect to Chancery reform. We had the honour and advantage of a Colleague whose great abilities were not perhaps adequately appreciated by his country, though his unrivalled learning was universally acknowledged; but we found in Lord St. Leonards, when he had accepted the responsibility of a Minister of the Crown, not merely a learned lawyer, but a man with the grasp of a vigorous statesman; and, acting under his advice, and animated by the determination which we found inspired him, of accomplishing those great reforms, the basis of which depended upon Parliament's immediately carrying out the recommendations of the Commission, we resolved that we would face a critical and derisive Parliament, and would not only propose measures, but endeavour to carry them. Well, how were we received? Why, even one whose generous support of the Government I never can forget, and whose amiable and popular character in this House men on all sides acknowledge with pleasure—even the accomplished and noble Lord the Member for Tiverton (Viscount Palmerston), could not help warning us, though in a sunny and friendly way, not to embark in a Chancery suit. Her Majesty's Ministers, however, did embark in that Chancery suit, and I am proud to say it is the greatest and most successful Chancery suit—and I believe, also, the most popular with the people of England—that has ever been witnessed. Well, Sir, the party which had perpetrated "enormous mischief" had pledged itself to the country to advise Her Majesty to dissolve Parliament. I have come to the dissolution of Parliament—but there is a chapter in the history of the last Parliament which I must complete before I refer to the consequences of that appeal to the country.

Sir, I have shown the House what has been the course of the Protectionist party in Parliament with respect to those three great measures which are popularly described as the three great measures of free trade—the repeal of the corn laws, the repeal of the sugar laws, and the repeal of the navigation laws. I have shown the House that from the moment those three measures were carried, we never in any way whatever attempted in this House to disturb that settlement. In sympathy with those who were suffering out of the House, we brought forward measures relating to them which were of a remedial character, but which in no way disturbed or challenged the principles upon which those laws were based. Now, what was the conduct with respect to these subjects of the great party on the opposite side—or rather, I would say, of the united sections which have combined prematurely to terminate the course of a Ministry who have pledged themselves to bring forward measures in the new Parliament which all have admitted they wish to consider? I will show the House that these sections perpetrated as enormous mischief as we did ourselves. Now, Sir, I will take the followers of the late Sir Robert Peel. They may not be numerous; but, certainly, if we look to their great ability, their extensive experience, and their powers of debate, they must always be listened to with great respect in this assembly. Far be it from me to misinterpret or misrepresent their conduct. I will not even examine the lists in *Hansard* to ascertain how many of the followers of that eminent personage voted upon the Motions of a remedial character during the last Parliament. I will treat them with fairness. I will take as their representative one whom they will hardly hesitate in acknowledging as their principal organ. I will take that distinguished statesman and accomplished leader the right hon. Member for the University (Mr. Gladstone). As the humble representative of a party which has perpetrated "enormous mischief" during the last five years, let me say what I have done which has at least received the sanction of that distinguished individual. I brought forward a Motion, when the sufferings of the cultivators of the soil were most severe—a Motion which, without pledging the House to anything, asked them only to inquire, in a Committee of the whole House, into the incidence of local taxation with regard to the agricultural classes. That there might be no mistake as to the nature of the measures which I proposed, I mentioned in the observations with which I prefaced the Motion to what extent I wished to proceed on that occasion. I will not trouble the House with details. It is enough for me to say, that the proposition was temperate in tone, and moderate in conception; that it was intended to show sympathy for those who were suffering, and suggested a change of the incidence of taxation, which I think was most advisable, with regard to the establishment charges of the Poor Law, and some other items. It was a proposal which was watched with great interest out of doors by those who were suffering, as a test of the feelings and sympathy of this House. On that occasion I received the distinguished and memorable support of the right hon. Member for the University, in one of the ablest speeches which even that able speaker has favoured the House with. As a vindication of my own course, of the line which I took for nearly three years in this House, what, on February 19, 1850, the year before the first break-up of the Government of the noble Lord the Member for London, was the view taken of my conduct by one of the most eminent Members of this House, between whom and myself there is no political sympathy, and who naturally looks with anything but a friendly feeling to the movements of the party with which I am connected? Mr. Gladstone said, on a Motion for a Committee to consider a revision of the Poor Laws—

> "He thought that there was a connexion between the two proposals which was fatal to the revival of protection. . . . . The present Motion, if not perfect, was at least an approximation to justice. But it was said that a poor-rate was a tax inherited by the landed interest, and that, their property having come to them on this condition, they had no claim to be relieved from the payment. And how did the matter rest with regard to their inheritance? They did inherit poor-rates with their land, but they also inherited with it a protective system which had given to this property an artificial value."—[3 *Hansard*, cviii. 1207.]

I am not giving this as my opinion, neither am I asking the House to agree with that opinion—I am not quoting these words with the view of asking you to sanction that opinion — I am quoting them to show that, in the opinion of one of the most distinguished Members of the House, who has no political sympathies with me, but is rather inclined to look at anything from me so far with a jealous and critical eye, he saw nothing productive in that course which I pursued of the enormous mischief we are said to have perpetrated, but that he thought it a most praiseworthy and judicious course, and to which, with winning eloquence, he almost gained the assent of the House; because, certainly, to his speech I attribute the triumph of that division. The right hon. Gentleman said—

> "But, while he rejoiced in the full evidence that a large portion of the community were in the enjoyment of at least an equal, or more than average, share of comfort, yet the condition of the farming class and of the agricultural labourer in a large portion of England, to say nothing of Ireland, was such as to demand the attention and consideration of the House."

We are told now we must not make even a hypothetical allusion to the possibility of any class having been injured by recent legislation; yet here we have the highest and most free-trade authority in the House telling us that the condition of the agricultural interest was such as to "demand"—"demand," mind you—the attention and consideration of the House. The right hon. Gentleman went further, and said—

> "If he spoke of them as justice, prudence, and compassion prompted, he need not wait for the financial statement of the year in order to do so. . . . . Yet it was impossible to avoid the conclusion that a severe struggle was going on, and that the farmers, as a class, were exerting themselves manfully. . . . . Now, he was desirous that the House should show a disposition to give aid and encouragement to the tenantry and yeomanry of the country in their struggle on their own behalf, and on account of the vast national interests connected with maintaining our domestic agriculture. . . . . He trusted something to that spirit of liberality and conciliation which induced men to concede something to those over whom they had obtained a great triumph."

That is the language, the beautiful and unexceptionable language, of the right hon. Gentleman. But surely it is not the right hon. Gentleman who will rise to-night and say that in the Motion I then brought forward I was perpetrating enormous mischief, since the right hon. Gentleman has left on record, in his brilliant oration, the opinion that the course I was pursuing was one which, showing sympathy with suffering classes, would absolutely prevent a recurrence to that protection of which he is so much afraid. So far, therefore, with respect to the opinions of the followers of Sir Robert Peel on the course of the Protectionist party, in reference to the first great question of the repeal of the Corn Laws. But to pursue the investigation—doing justice to the followers of Sir Robert Peel, by selecting again their most accomplished champion—let us see what was the course they took on the second of these great tests—namely, our policy with reference to our sugar-producing colonies. On May 31st, 1850, only two Sessions ago, the question of our sugar-producing colonies, and the great distress they were then experiencing, was brought before the House. I am not sure whether it was then brought forward by the Secretary of State, I believe rather it was brought forward by the late Member for Essex (Sir E. Buxton), and the whole Protectionist party supported the policy he recommended. What did the followers of Sir Robert Peel, who now, it seems, disapprove our conduct, do to meet that Motion? "Sir," said the right hon. Gentleman the Member for the University of Oxford—

> "We recollect the crisis through which the West Indies have passed, presenting a great industry and great interest not suffering and complaining merely, but absolutely ground down and reduced to total ruin by the legislation of this House."

We must not refer to recent legislation but in terms of studied panegyric—we are going to re-establish the Sliding Scale, if for a moment we suppose that recent legislation, with the great blessings it accomplished, has been attended with injury to certain classes! Yet the right hon. Gentleman thus alluded to the total ruin which tho sugar-producing colonies incurred—and by what? By the legislation of this House. "We are forced," said the followers of Sir Robert Peel, in the language of the right hon. Gentleman, because every one of the friends of the right hon. Gentleman wisely followed so distinguished a leader—

> "to the conclusion of my hon. Friend the Member for Droitwich, to which my hon. Friend opposite is, I believe, prepared to adhere, as well as I am myself, to extend to the British West Indies that protection which is now vanishing before their eyes, for such time as may be necessary for the production of those useful public works that may lead to ultimate cheapness of production; while at the same time I ask you still more to adopt this course on behalf of that class for whom you have before made such sacrifices, and who are now fast sinking back to that degrading condition from which they were originally raised by your philanthropy and benevolence."

The followers of Sir Robert Peel, then, who are, we are told, banded together against the existence of that Government which they are always calling on to produce their measures—the followers of Sir Robert Peel, on the two great questions, first, of agricultural distress, and secondly, on the distress of the sugar-producing colonies, entirely approved the policy pursued by the Protectionist party. What has been their policy with respect to the third test? The moment the navigation laws were repealed we gave up the battle. There never was a Motion made by any hon. Member on this side of the House—I have no recollection of any party Motion—by which it was attempted to recur to those laws. But this was a question which elicited the views of the followers of Sir Robert Peel. When the Bill for the repeal of the navigation laws was read a third time, the right hon. Member for the University of Oxford raised his eloquent voice in favour of reciprocity, and laid on the table of the House a clause to that effect. I have now submitted to the House the conduct of the party which it is said has "perpetrated enormous mischief" on three questions of free-trade. I have subjected the followers of Sir Robert Peel to the same test, and I find that we have the sanction of those distinguished men to our course.

But that section of the House, even if I could satisfy them, might not be numerous enough to save us from the peril in which we find ourselves. I must endeavour to see whether I cannot act on the consciences of a party more numerous and influential. Let us see what the noble Lord the Member for London and his party, the Whigs—let us see what they have done. Let us apply the three tests to his conduct and that of his followers. Has their conduct been such that they can now, by their votes and their speeches, declare that no great interests have been injured by recent legislation, and that, in sympathising with those suffering interests, we have been all this time perpetrating "enormous mischief?" I brought forward a Resolution which expressed some sympathy with the interests of the cultivators of the land in England, and made some slight attempt to alleviate their sufferings under that severe pressure which the right hon. Member for the University of Oxford so beautifully and so eloquently described. What I did, though I am called the "farmers' friend," is nothing to what the noble Lord did. The noble Lord went to the Sovereign, and recommended Her to express sympathy with the sufferings of the agriculturists. The noble Lord recommended the Sovereign in Her gracious Speech to acknowledge not only their depression but their continued depression. What did he mean by that? Certainly a Minister who took such a course is not one to come forward and pretend that, because we supported a Motion on the peculiar burdens incident to the cultivators of the soil, we were seeking to get back protection. Certainly, he has no right to say that the question now is, whether we shall maintain free-trade or return to protection. What has been the conduct of the noble Lord in reference to the second question? I refer to it to complete the picture. The noble Lord has done more for the sugar interest than any other person in the House has done. He absolutely brought in a Bill two years ago to prolong their protection, and assist them in that struggle to which they were subjected, not only by recent legislation, but by his own. I come to the third test, the sufferings of the shipping interest. The noble Lord has not only lamented their sufferings, but suggested the removal of the burdens and restrictions upon the shipping interest "which still impede its prosperity." Now an interest whose prosperity is impeded, must be a suffering interest. It certainly cannot be called a progressive interest. It cannot be called an interest enjoying the advantages of the new system, of which the noble Lord is the champion. Thus I have shown that, on the three great subjects of recent legislation to which we have solicited the attention of the House, with reference to the injury inflicted on particular interests, we have the authority of the followers of the late Sir Robert Peel, and of the late Government, with all their followers too. I admit there is a party—how numerous I know not—which has been consistent. There is one person in this House, who has been constant from the beginning, and has a right to make the speech he made to-night, and that is the hon. Member for Wolverhampton. I have sat in this House many years with the hon. and learned Gentleman, and I had the honour and gratification of his acquaintance for some years before either of us, I dare say, thought of having a seat in this House. There are two qualities which I have ever observed in him—precision of thought and concinnity of expression; and that is the reason why I do not believe he is the author of the Resolution which he has brought forward. Whatever may be the faults of that Resolution, I find no fault with his speech. His speech is the same he has always made. I make the observation without any feeling that approaches to a sneer. I may say that he may look back with proud self-complacency to the time when I remember him sitting on almost the last bench on this side the House, and bringing forward, with the command of a master of the subject, never omitting a single point, and against all the prejudices of his audience, the question of the corn laws. There were no cheers then from the followers of Sir Robert Peel. There were no enthusiastic adherents then in a defunct Whig Ministry. On the contrary, the right hon. Baronet the Member for Carlisle (Sir James Graham) came forward and threw his broad shield over the territorial interest of England; and anybody but the hon. and learned Member for Wolverhampton would have sunk in the unequal fray. I honour, respect, and admire him; but I cannot agree to his Resolution; and I will give you, if you will let me, the reasons why I cannot do so. I have to-night put before the House the case of the Government; and, if I have seemed to trench on the patience of the House, I hope they will be generous enough to remember that they sit in the character of a jury to-night; that in speaking to them I am appealing to opinion, which will decide more important things than the fate of a Government. It is therefore fitting that, whatever may be the decision of the House, I should have an opportunity of putting the Government in a right position, and especially with reference to parties who are, we are told, banded together to overturn it. I have shown the House that from the beginning we resolved never to attempt to repeal any of those three measures; that under no circumstances did we think the country could retrace its steps unless the condition of the working classes became permanently worse; that during all this time there was a strong and most suffering party out of the House, a party whose sufferings were not only acknowledged by statements made by Ministers, but sympathised with by our Sovereign. And we are told that we were not to encourage those men under all their distresses, suffering, as they believed, from the desertion of their natural leaders—that we were not to secure for them, at least the constitutional appeal which, if they did not labour under misapprehension, would, they believed, give them the means of redressing their grievances. I wish to bring in no external causes for the course we took; but I can only say, as one returned to this House by my constituents, that I cannot comprehend the feelings which should have induced me to desert them in their hour of trial. Difficult as was the position in which we were placed with these suffering interests, that position was immensely aggravated when the Chief Minister of the Crown was frequently recommending the Sovereign either to acknowledge those sufferings, or bringing in measures of partial and temporary relief. How could you expect that these interests would believe your laws conclusive, when from the Throne you seemed to regret their consequences, and were constantly meddling with the legislation you had yourselves proposed? I have shown the House that, acting on these two principles, we determined, first, that we should not disturb that legislation unless the working classes were permanently suffering; secondly, that we would by remedial legislation mitigate as much as possible any just claims for relief placed before us—claims which I have shown that the leaders of almost all parties have attempted to alleviate.

We now come to the dissolution of Parliament. The dissolution took place in July. The moment the elections were terminated it was the duty of Her Majesty's Government to form a definitive and conclusive opinion with respect to the feeling of the people on this question, of attempting to abrogate the laws of 1846, 1847, and 1849, which affected the importation of corn, the importation of sugar, and the free navigation of the country. There could be, and there was, no question in the minds of Her Majesty's Ministers with respect to the result of that election. There was no doubt that there was not only not a preponderating majority in favour of a change in the laws passed in those years, but not even of modifying them in any degree; that there was a decisive opinion on the part of the country that that settlement should not be disturbed. When we acceded to office in the spring, there were then two courses open to us. If we had formed an opinion from what we observed and heard, that there was no prospect of the country sanctioning any modification of those laws, we might have brought forward measures of a remedial character, such as we might have thought likely the House would sanction. That was one course we could have taken. The other was the course we adopted; and we adopted that irrespective of any other considerations than our own conviction that after such great changes had taken place—after there had been excited in the country so much alarm—and after there had been experienced so much distress—after that distress had been acknowledged by the Throne—after it had been attempted to be mitigated—after the statement that those who were discontented with that legislation would never be satisfied till there was an appeal to the constituencies—we were convinced that, if measures had been brought forward in this House which would have gained the assent of the House, which might have been of a very conciliatory character, and most just and beneficent in operation, there would be always a large party in the country, and no inconsiderable party in this House, who would have said that they had been betrayed by their friends, that we had betrayed our principles, that we had miscalculated the spirit and feeling of the country, that a protective policy was the policy of which the country really were in favour, and that, as in 1846 and 1847, the opinion of the country had been evaded or not appealed to. Irrespective, then, of the pressure of Parliament, we felt convinced that, for the advantage of the country and the permanent happiness of all classes, it was absolutely necessary that the question should be settled, and that those who made an appeal to the country in favour of a recurrence to a protective policy should have a constitutional opportunity of vindicating their opinions. What has been the consequence of the line we have taken? The consequence has been that—as always happens among Englishmen—the protectionists having had a fair trial, having gone through a fair contest, and having been beaten, are not ashamed to acknowledge their discomfiture. If they had not had this opportunity there would have been for years—for endless years—a Parliamentary party in the country and in this House, who would have believed in the possibility of carrying out a protectionist system of policy; and whenever a period of suffering, arising from any of those vicissitudes which will periodically occur, should have happened, you would have had the distress attributed to the policy you are so anxious to support. I admire and entirely respect the feeling which has influenced large bodies of my countrymen to surrender long-cherished convictions. But in what way are you going to meet them? You are about to meet them—I will not say with the insult of a bully, because that would not be a Parliamentary phrase; but I do say that in no wise or politic spirit could these Resolutions have possibly been framed which have been presented to-night. I have already acquitted the hon. and learned Member for Wolverhampton of being the father of his own Resolutions, and therefore he cannot be offended at anything I may say about them. Sure I am that those who have a powerful sympathy with something else than free trade, have concocted these Resolutions. Well, Sir, having after the general election, considered the verdict of the country, Her Majesty's Government felt they had but one course to take—frankly to accept and unreservedly to act upon it. But I am told that we have not done that. I am told that the language of the Queen's Speech from the Throne was not satisfactory. Why, certainly we did not think it our duty to recommend Her Majesty to speak like a partisan. There ought to be a certain degree of reserve in the language to be used by the Crown under any circumstances. The Speech from the Throne is always recommended by the advisers of the Crown, but still it is the Speech of the Sovereign, and the Sovereign might be called on—even on the morrow—to use different language for a different purpose. For these reasons, it has always been deemed constitutional and proper that the Speech from the Throne should be distinguished by a fitting reserve. That used to be the old constitutional doctrine of the noble Lord the Member for London. In February, 1850, the depression of the agricultural classes was beginning to produce a significant effect on the administration of the noble Lord, and, whether for that reason or from some other cause, some of the noble Lord's friends thought that the Speech from the Throne did not avow adhesion to free trade with sufficient distinctness. The noble Lord was called to account for not speaking out by the Gentlemen who are offended by my calling them the Manchester school, although I use the phrase as a compliment, looking on a school as men holding distinct opinions, and not afraid of driving them to their legitimate results, and distinguished from those politicians who, under different circumstances, advocate a different course. [" Hear !"] The mistake which hon. Gentlemen who cheer make is this, that I am not advocating a different course. However, on the occasion to which I was alluding, namely, in February, 1850, the Manchester school was of opinion that the noble Lord the Member for London had not spoken in the Speech from the Throne with the decision which befitted the atmosphere of a free-trade hall. What said the noble Lord in vindication? The noble Lord's words were these :—

> " It appeared to us, much as we should have rejoiced in an opportunity of advising Her Majesty to declare the opinions we entertain with respect to the recent commercial policy, that the time was not a fit one to propose that that expression of opinion should fall from Her Majesty. It has always appeared to us, that in conformity to recent custom with regard to matters of legislation, upon which Parliament may have to give an opinion in the course of the Session, it is better to reserve those questions on the first night of the Session, and rather to give an opinion as to the actual state of the country, than to attribute that legislation to any acts of the Government."

Although we have followed the precedent established by the noble Lord, we have not escaped the criticism of his supporters. The hon. and learned Member for Wolverhampton indulged in one—unintentional no doubt, but still—most erroneous misrepresentation on this point, which, if not noticed, might be productive of " enormous mischief." He said that the Queen's Speech was in the conditional mood; that if the House were of opinion that the result of recent legislation had been good, then they should take an opportunity of saying so. Now, I deny that there was any condition attached to it. The House was not even asked to echo that passage in the Speech, for we drew up the Address so that the answer of the House might be, " We thank Her Majesty for Her Majesty's recommendation." In doing so, we followed the precedents that have always been set by the noble Lord, but which he now finds it convenient to disclaim. The Queen's Speech, however, did absolutely contain a distinct affirmation that the principle of our commercial code was the principle of " unrestricted competition." That principle had been acquiesced in after due deliberation on the part of the Government. The First Minister of the Crown spoke in the most explicit manner in that sense on the first night of the Session. What the Queen's Speech really said was, that if it should appear that recent legislation, in effecting a great deal of good—we did not dispute that—had done some harm —we did not say that it had—then the House would take the matter into consideration. The good was positive, the harm only was conditional. Her Majesty's Speech contained a distinct affirmation that the principle of our commercial code was " unrestricted competition." That policy having been accepted by the Government after due deliberation, the First Minister of the Crown, on the first night of the Session, announced the fact in the most explicit manner. I also made, on the same night, some observations in this House, which the right hon. Member for the University of Oxford thought so strong that he intimated hon. Members on this side of the House, as Protectionists, would stultify themselves by continuing to support the Government. Is it not enough that Her Majesty in the Speech from the Throne should have announced the decision of the country to be in favour of " unrestricted competition ?" Is it not enough that the First Minister of the Crown should have taken the earliest opportunity of declaring from his place in Parliament that he knew the decision of the country was against a return to protection, and that he accepted the consequences of that decision ? Is it not enough that I have placed on the table of the House the Amendment which the hon. and learned Member for Wolverhampton has seized upon rather captiously ? You have to consider, first, the Motion of the hon. and learned Member; and, secondly, the Amendment which I, on the part of my friends, have proposed, for reasons which I will express. Let us consider the Resolutions of the hon. and learned Member; I say that, in the first place, they are unprecedented; and, in the second, they are, in my mind, most impolitic and unwise. Let us for a moment try their justice, equity, and policy by parallel instances in similar cases. I will take, first, the case of the House of Commons after the Reform Bill, and the position of the Government in 1835. Sir Robert Peel and his friends had offered to the Reform Bill a powerful and prolonged opposition. Sir Robert Peel suddenly became Minister in 1835, and when he was Minister he expressed his determination not to disturb the Reform Bill, although he did not approve of it. What would then have been thought of the Opposition if in a new Parliament, and with a Ministry in such a position, they had proposed a Resolution declaring that the Reform Bill was a just, wise, and beneficial measure? Let us look at this question a little closer, for it involves much higher considerations than any connected with mere personal interests. I tell you that if you carry your Motion, you will render Parliamentary government impossible in this country. Thenceforth a Government composed of persons whose opinions have been politically vanquished, will cease to be practicable; because if you pursue the course you are now following, the moment such a party succeeds to power, a Resolution may be brought forward, pledging the House in vague terms to some measure which those forming the Government have formerly conscientiously opposed. Take another instance. Let us suppose that a new Government is formed; let us suppose, further, that that Government is composed of the followers of Sir Robert Peel. Suppose you Gentlemen opposite may not approve of the noble Lord the Member for London immediately returning to power. I assure the noble Lord I will offer no objection to his return to office, if he wishes it. Let us imagine a different case, however, namely, that the followers of Sir Robert Peel accede to office, and form an Administration. Two years ago the followers of Sir Robert Peel opposed one of the most popular measures ever brought forward by a Minister in this country. I give no opinion as to the wisdom, policy, or success of that measure, but that it was one of the most popular measures ever offered to the acceptance of a Legislature there is no doubt. The followers of Sir Robert Peel opposed the measure, because they said it was a declaration of war against Ireland. That measure was the Ecclesiastical Titles Bill. Should the followers of Sir Robert Peel take office to-morrow, I do not think it impossible—could I descend to such arts—to carry a Resolution declaring the Ecclesiastical Titles Bill to be a wise, just, and beneficial measure. But the case is more aggravated even than it seems to be by these instances. Let us remember under what circumstances Sir Robert Peel acceded to office in 1834—for although he was as guiltless as any man in Her Majesty's dominions of what had occurred, he came into office under circumstances which produced great acrimony and irritation. The former Administration was displaced by what looked like a Court intrigue, and the Parliament, while still young, was sent back to its constituents. Sir Robert Peel was free from any participation in any intrigue, for he was absent from England at the time; but still he was installed Minister under odious and objectionable circumstances, and he was obliged to meet, with balanced parties, a hostile Parliament and enraged rivals. The noble Lord the Member for London was engaged to operate in that case; and the noble Lord has never been backward in exhibiting what we will call a well-regulated party feeling. The noble Lord had reason to be angry on that occasion, for he may almost be said to have had a personal outrage inflicted on him. He was supported by a party in this House, who were thirsting for vengeance; and if anything could have justified such a course, the noble Lord would have been justified in moving such a Resolution as that which has been proposed by the hon. and learned Member for Wolverhampton. He might have said that a Reform Administration had been displaced by an anti-reform one, and he might have called upon the House to declare that the Reform Act was a wise, just, and beneficial measure. The noble Lord, however, did nothing of the kind. Now what are the circumstances of the present moment? Has a Free-trade Ministry been supplanted by a Protectionist intrigue? Quite the contrary: the Government of the noble Lord fell to pieces from internal dissensions. The noble Lord went out of office; he was not turned out; and instead of our having come into power through Court intrigue, the noble Lord is really responsible—in the most constitutional manner—for our official existence. Since we have been a Government, we have had to make pledges to Parliament and the country. We have fulfilled all our pledges but one. We pledged ourselves—notwithstanding what seemed to be a factious opposition—to carry those measures which we thought absolutely necessary for the country. We carried them, and they have been successful. We pledged ourselves to dissolve Parliament so soon as the public convenience would permit, in order that the opinion of the country might be ascertained on those questions which in the hon. Member's Resolutions are called "free trade" and "protection," which decision should be final. We did dissolve Parliament, the opinion of the country was given, and we have bowed unreservedly to the decision. We pledged ourselves that there should be an autumn Session, in order that the House might have an opportunity of ascertaining the policy of the Government. The Parliament is now assembled for that purpose. I pledged myself, if an opportunity offered, to bring forward measures which I think the altered circumstances of the country require. Previous to my election I communicated frankly my views to my constituents by telling them, as I always have done, that the assimilation of our financial to our commercial system would ultimately prove the policy by which general contentment would be given to the country. I am ready to fulfil this last pledge; and the measures which the Government has prepared would have been brought forward but for this—I must call it—vexatious Motion. Those measures are founded on the assumption that unrestricted competition, or, to use the more popular phrase, free trade, is the principle of our commercial system. These measures have been concerted with my Colleagues, and have received their unanimous support, and there is no reason, except the hon. and learned Member's Motion, why I should not at this moment be offering them to the consideration of the House. In proceeding to discharge our duty as a Government, we are met by Resolutions which involve more important considerations than the fall of an Administration. You are about to establish a precedent which may destroy a Government—an affair which, perhaps, you may deem of as little moment as it appears to be thought by the hon. and learned Member for Wolverhampton; but you will establish a precedent that will destroy more than the one Government whose cause I am pleading before the House and the country to-night. How have we met these Resolutions? Seeing that I have announced my intention to make my financial statement only two nights hence, I might—and I am sure the feeling of the country, and perhaps of this House, would have supported me in doing so—have moved the previous question. I would not move it. I am satisfied that in giving our friends throughout the country an opportunity of vindicating their opinions in a constitutional manner, we have contributed to the permanent welfare and contentment of the country. I, for one, have received my reward, as all my Colleagues have done, in the assurances of our friends on this side of the House, and throughout the country, that they feel we have done for them all that men of honour could be called upon to do, and that the country having decided against their opinions, they are prepared to accept that altered policy which the circumstances of the times require.

Sir, the hon. and learned Member for Wolverhampton says that the duties of a Minister are merely nominal. I can only express a hope that if he is to be a member of the Government that is to be, he may not be disappointed as to the amount of toil he will have to undergo. I am sure he will not be disappointed in the assistance which he expects to receive from the permanent civil servants of this country. I am the last man to refrain from doing justice to the permanent civil servants of this country. Their devotion to the public service is, I think, one of the most beautiful features of our social system. They have not public fame, but they have the appreciation of those whom they support and assist. But, Sir, even with that support, I can unaffectedly say that the toil and responsibility which in these days devolve upon men holding office, could not be borne by any set of men who were not sustained by a feeling of self-respect and the fair confidence of Parliament. I say it for myself, and in the name and on behalf of my Colleagues, that we neither seek to be, nor will we be, Ministers on sufferance. We took upon ourselves the reins of Government without inquiring whether the late Parliament was hostile to our general policy or not; but we took them at the general desire of the House of Commons and of the country. We met the difficulties of our position fairly, and administered the Government of the country to the best of our ability, applying ourselves diligently and assiduously to the affairs that were brought under our consideration till such time as there had been an appeal to the country. But whatever were the exigencies of the case then, in the old Parliament, we neither desire nor will we submit in the new to carry on the Government under any indulgence which is foreign to the spirit of the British constitution.

Sir, I believe I have now said all that is necessary for me to address to the House, and I am content here to leave the case of the Government. I have placed before the House, very imperfectly I can easily conceive, the whole of that case. The subject is somewhat large, and I have endeavoured to be as succinct as circumstances required and would allow. If I had only personal feelings to consider, I should sit down; but I think, without vanity, and speaking in the name of the Government, that there is, in the circumstances in which we find ourselves placed, a sense of duty which may justify us in looking beyond personal considerations. We believe that we have a policy which will conduce to the welfare, content, and prosperity of the country. I hope it is not an unworthy ambition to desire to have an opportunity of submitting that policy to Parliament. But I am told that that is not to be the case. Now, although I have too much respect for this House to condescend to advocate the cause of a Government, yet I will say something on behalf of a policy. I will not, therefore, without a struggle, consent to yield to an attack so unfair as that to which we are subjected. I will not believe, remembering that this is a new Parliament, that those who have entered it for the first time have already, in their consciences, recorded their opinions. On the contrary, I believe that they will listen to the spirit and to the justice of the plea which I put before them to-night. It is to those new Members—a third of the House—on whichever side of the House they may sit, that I appeal with confidence. They have just entered, many of them after much longing, upon that scene to which they have looked forward with so much earnestness, suspense, and interest. I doubt not they are animated with a noble ambition, and that many of them will hereafter realise their loftiest aspirations. I can only say, from the bottom of my heart, that I wish that, on whatever benches they may sit, their most sanguine hopes may not be disappointed. Whatever adds to the intelligence, eloquence, and knowledge of the House, adds also to its aggregate influence; and the interests of all are bound up in cherishing and maintaining the moral and intellectual predominance of the House of Commons. To those new Members, therefore, I now appeal. I appeal to the generous and the young. And I ask them to pause now that they are at last arrived on the threshold of the Senate of their country, and not become the tools and the victims of exhausted factions and obsolete politics. I move the following Amendment:—

"To leave out from the word 'That' to the end of the Question, in order to add the words 'this House acknowledges, with satisfaction, that the cheapness of provisions, occasioned by recent Legislation, has mainly contributed to improve the condition and increase the comforts of the Working Classes; and that unrestricted competition having been adopted, after due deliberation, as the principle of our Commercial System, this House is of opinion that it is the duty of the Government unreservedly to adhere to that policy in those measures of Financial and Administrative Reform which, under the circumstances of the Country, they may deem it their duty to introduce,' instead thereof."

Question proposed—"That the words proposed to be left out stand part of the Question."

MR. BRIGHT: Sir, I have listened with that interest in which the whole House has joined to the speech of the right hon. Gentleman the Chancellor of the Exchequer, and I expected when he rose that he would have made at least some attempt to answer the speech of my hon. Friend the Member for Wolverhampton (Mr. C. Villiers). I cannot conceive that the right hon. Gentleman lost sight unintentionally of the point of my hon. Friend's speech, and of the real question now in dispute between the Government and my hon. Friend. If the right hon. Gentleman avoided entering into the question which has been introduced to the notice of the House, I may at least be justified, I think, in avoiding a large portion of his speech. I shall, therefore, in the first place, call attention to only one or two points which the right hon. Gentleman urged. The right hon. Gentleman wished to make it appear that he was now a member of a Free Trade Government, and that he acted with the Free Trade party, and yet repeatedly during his speech, and within six sentences of its conclusion, he spoke of the body with which he was now associated as still the Protectionist party. The right hon. Gentleman said, moreover, that he took no steps in the direction of unsettling the settlement of 1846 since that period. The right hon. Gentleman seemed to forget that in 1850 he voted in favour of a Resolution to the following effect:—

"That the whole House resolve itself into Committee of the whole House, for the purpose of taking into consideration the Acts relating to the importation of Foreign Corn."

This was a Motion made by a Gentleman who was not now a Member of the House, but one whom the right hon. Gentleman seduced from this side of the House by speaking of what he would do for the farmers, and by promises which have not been fulfilled—I allude to the late Member for West Gloucestershire (Mr. Grantley Berkeley). More than that, the right hon.

Gentleman endeavoured to persuade the House that with regard to sugar and shipping he was as blameless as on the question of corn, and that if any one was culpable at all in regard to sugar, no one was more so than the noble Lord the head of the late Government. But the right hon. Gentleman seemed to forget that his right hon. Colleague the Secretary for the Colonies (Sir J. Pakington) incessantly endeavoured to unsettle the first settlement of that question in 1847. The right hon. Gentleman also appeared to forget—or else sought to conceal from the House, that another of his right hon. Colleagues, whom I see opposite, the right hon. Gentleman the Governor of our Indian possessions—[*Laughter.*] I speak advisedly when I say Governor, for I recollect that a predecessor of the right hon. Gentleman, Sir John Hobhouse, now Lord Broughton, when President of the Board of Control, admitted, in answer to a question of mine in Committee, that he was the Ruler of India, and that he was responsible for its Government. The right hon. Gentleman (Mr. Herries) gave notice of a Motion respecting the Navigation Laws; he felt, I believe, the insecurity of his position, and, necessitated by the successive taunts of the hon. Member for Stoke-upon-Trent (Mr. J. L. Ricardo), he was induced to bring forward his Motion; but he was so disconcerted at the reception it met with, that he did not ask the House to go to a division. The right hon. Gentleman the Chancellor of the Exchequer, following in his usual adroit manner, fixed upon the conduct of the noble Lord (Lord J. Russell) and two or three of his colleagues, in order to divert attention from the real subject at issue. I am afraid that the noble Lord and some of his colleagues have been too long in this House to be perfectly consistent. But I could show the House that, however bad may have been the course of the noble Lord, that of the right hon. Gentleman was not a bit better. But I will not enter upon these questions now, for that before the House is too important in the eyes of the country to be disposed of by recriminations between the members of the late and the present Government. My hon. Friend (Mr. C. Villiers) could with perfect honesty say that he could not be actuated by factious motives in bringing this subject forward, for he brought it forward fifteen years ago, and probably no public man suffered more in his political associations and prospects than my hon. Friend suffered, by his undeviating advocacy of what to him at least seemed a great and sacred question. My hon. Friend is therefore precisely the man to bring this question forward; and every person must admit that he is harmonious in the position he occupies to-night, when measured by the position which he always occupied on this question. The Government were asked last February and March what course they intended to pursue; and the right hon. Gentleman the Chancellor of the Exchequer said he meant to appeal to the country. Well, the country has been appealed to, and the right hon. Gentleman has given us to understand that the Government had not done much to promote the cause of protection in the country. They did not do so to much extent in the boroughs, but they did so most assiduously in the counties, and if the House would give me its attention, I could show that there is scarcely a single county in which the electors did not vote almost exclusively on the protectionist principle. The Resolutions before the House are submitted for our deliberate consideration, and while I am ready to admit that that of the right hon. Gentleman is far in advance of any proposition which he ever made to this House in any part of his former political career, that of my hon. Friend (Mr. C. Villiers) involves something which, though it may be inconvenient to the party opposite, contains that which is precisely for the interest of the country, and upon which, I will prove, the country expects we should come to a definitive decision. Suppose the two Resolutions to be placed before the country at the recent election—that of my hon. Friend, who declares the advantage which the country has derived from free-trade, but declares, especially of the measure of 1846, which established the free admission of foreign corn, that it was a "wise, just, and beneficial" one, and that of the right hon. Gentleman—if the whole country, man, woman and child, were polled with respect to that particular passage of the Resolution, would there not be an enormous and overwhelming majority—a majority of nine to one throughout the whole country, in favour of the Resolution of my hon. Friend? Does the right hon. Gentleman think that the hon. Member for Macclesfield (Mr. E. C. Egerton), who seconded the Address, would sit for that free-trade borough unless he admitted that the Act of 1846 was a wise, just, and beneficial measure. The Parliament of 1846 was of opinion that it was a wise, just, and beneficial measure. Is there any Member who voted for that Bill in 1846, the noble Lord the Member for Tiverton (Viscount Palmerston), or any other, who did not, and does not, believe that, under all circumstances, the measure was a wise, just, and beneficial measure. And if there were any who had doubts then, is it possible, after the experience of the last six years, that they could have any doubt at present ? The Parliament of 1847 came to the same conclusion as the Parliament of 1846, and during the whole course of its existence it resisted the unsettling of that just, wise, and beneficial measure. And now the Parliament of 1852, called together under a Protectionist Government—for Protectionist they were when they went to the hustings, whatever they are now—this present Parliament, as admitted by the right hon. Gentleman himself, has decided that the result of our recent legislation has been beneficial to the great bulk of the working classes of the country. Now, when Parliament is going to pronounce its final verdict on the question of free trade, I should have thought that my hon. Friend (Mr. C. Villiers), who for fifteen years has been the consistent leader of the free-trade question in Parliament, should be the person to draw up the terms of that verdict, and not one like the right hon. Gentleman, who had been a Protectionist during the whole period of his career. Some persons say—I speak rather of what is said in private—that the Resolutions are much the same, and that it is only a dispute about words. Well, if it is only a dispute about the words to be adopted, if feelings are to be consulted, if claims are to be considered and advice to be taken, surely the advice and recommendation of the long-devoted Friend of the question should be taken in preference to those of the right hon. Gentleman the Chancellor of the Exchequer. But the words of the two Resolutions are not the same: the principles are not the same; the cause, the intent, the whole matter is not the same, and I will show the House wherein they differ. The Resolution of my hon. Friend establishes a principle: that of the right hon. Gentleman merely a fact. The one proclaims the benefit of free-trade to the whole country and the whole world, and says that our experience must make us appreciate it more and more: the other leaves everything to hazard ; it refers to certain injustice to be righted, to certain interests to be compensated to any amount which Parliament may be induced to give. The right hon. Gentleman must not suppose that the House is so exceedingly simple as to think that he, penitent though now he appears to be, is a man to be wholly trusted on this occasion. Hon. Gentlemen opposite, who have had so much experience of the right hon. Gentleman, may trust him; but we cannot do so without stipulations and conditions. Let us go back to the year 1846; six years are not so long past that we cannot remember what he said on these benches and out of this House. The right hon. Gentleman spoke of the audacity of the noble Lord (Lord John Russell); but the right hon. Gentleman has audacity to say that he and his party recommended the farmers not to endeavour to unsettle the Act of 1846, and that they tried to put down the clamorous complaints of the farmers, as the question of the labourers was the only one involved in the matter. I must say, if ever a statement made by a Minister of the Crown gave a more incorrect statement of fact than another, I think that this statement is the one. Why, do we not recollect the speeches which they made by dozens all over the country before the farmers—do we not recollect the deputations to the Earl of Derby—do we not recollect the excited feelings with which the simple farmers were sent back to their towns and counties ? I was never more amused in my life than when I was reading the answer of the right hon. Gentleman to the deputation that came to see him, because it was of that nature that I defy twenty or even fifty farmers to make head or tail of it. The right hon. Gentleman sought to defend himself by referring to the conduct of Sir Robert Peel in 1835. When one quotes a precedent, there ought at least to be some analogy between the cases. Did Sir Robert Peel, from 1832 to 1835, employ himself in this House, or did his followers employ themselves in the country, in proving that the Reform Bill was destructive of the British constitution—and that it was absolutely necessary for him and them to take the first opportunity of appealing to the country to undo that Act ? If Sir Robert Peel did this when he came back from Italy, the very first proposition that would have been laid before the House would have been a Resolution bearing to the Reform Bill precisely that relation which the Motion now before the House bears to the Corn Law repeal. There were other precedents which the right hon. Gentleman has attempted to set up of the same character, which I will not refer to; but there is one point which the right hon. Gentleman has constantly asserted in this House which it is necessary to notice, and here I cannot help observing how amazing it is that whatever assertions the right hon. Gentleman makes—however untrue they may be—they are speedily taken up and circulated throughout the country. The right hon. Gentleman and his party constantly endeavoured to make it appear, either that the Corn Law was originally granted to the landlords to compensate them for the special burdens which were imposed upon them in the taxation of the country; or otherwise it was for the purpose of preparing the landlords to endure some special burdens which the enactment of the Corn Law would enable them to bear. Nothing, in fact, was too silly, and nothing too unlikely, that the Government did not offer, and the landlords greedily feed upon, at the hustings. But neither the right hon. Gentleman nor any of his friends ever offered one single fact, figure, or quotation in proof of the statement which he made. I do not recollect ever having found in the debate of 1815 on the Corn Laws one single word that led to the conclusion that the Corn Law was then granted to the landowners to compensate them for any exclusive burdens that they bore. I have never heard since even of any Chancellor of the Exchequer imposing any tax upon the landed portion of the community for the burdens they had to endure, or that the landed interest was well able to bear all their share of the taxation because they had the protection of the Corn Laws. Now, with regard to that point, I will just for a moment lay two or three figures before the House, not, however, that I wish to trouble them with any lengthened statistics on this occasion, for we have got far beyond the statistics of this question, except those of the division which the House is to come to at the close of the present discussion. Well, then, from 1801 to 1815, a period when this country was fighting against French principles, the taxes imposed—I take my figures from the *Progress of the Nation*, the work of my late lamented friend Mr. Porter, were 13,500,000*l.*; but it is not to be seen at all from any records that we have that any of these taxes were especially laid upon land. The amount of Customs duties was 7,381,000*l.*, the Excise 10,702,000*l.*, the Stamps 1,104,000*l.*, which included the Probate and Legacy Duty, which certainly was not a duty upon land or real property. The other taxes, including the Income Tax and the Post Office revenue, made the total amount to 31,538,000*l.* Coming down to 1816 I see how far these taxes were repealed, and I find that of Customs there were 52,000*l.* repealed. Excise, 2,863,000*l.*, and of other taxes, 14,631,000*l.*, making a total of 17,546,000*l.* Now no man can show me from these accounts—and I can go more into detail if it is necessary—that any single tax was laid upon land or on the landowner as a landowner; but if he examine them properly, he will find that all interests were included in the imposition of these taxes, and that none were excluded from the benefits which may have resulted from the repealing of taxation. To a certain extent all were gainers, and none were excluded. From this enumeration I exclude the Probate and Legacy duties, which stand by themselves. I come next to the question of the poor-rate, which the right hon. Gentleman the Chancellor of the Exchequer has referred to, and I find that from 1812 to 1813 the average poor-rate of the year, calculated by the two preceding years, was 8,688,000*l.*; whereas in 1843 and 1844 the average poor-rate was only 6,878,000*l.*; so that, in point of fact, in 1843 and 1844 the average poor-rates of this country were less by 1,810,000*l.* than they were in 1812–13. And then, if we take also the enormous increase in property since that period, and the value of land, and the accumulation of railways, we shall find that the poor-rates comparatively are an insignificant burden upon land. In fact, they are not half the burden on the landowner or the farmer that they were in 1812–13. With regard to the Legacy and Probate Duty, I regret the right hon. Gentleman the Chancellor of the Exchequer is not here, but I see the right hon. Secretary for the Home Department in his place, and no doubt he is fully cognisant of the changes which he proposes to make with regard to the Legacy and Probate Duty. I find that it has been charged from 1797 to 1845 upon more than 1,339,000,000*l.* of personal property; whereas the whole of the land that is freehold land, which is the character of most of the land in this country, has been entirely free from this charge. The Probate and Legacy Duty during the period up to 1845, that is, forty-nine years, was upwards of 71,000,000*l.*; and bear in mind that when that measure was first brought in, Mr. Pitt intended that it should cover all property; but the great landowners in this House at the time had sufficient strength and influence to induce the House to reject that portion of the measure which related to real property. But I will not go into further statistics upon that branch of the question; suffice it to say that if there was no pretence of the nature I have suggested for the Corn Laws in 1815, there has been none since, nor is there any at the moment at which I am speaking. It was, in fact, the law of the strong carried against the weak; it was a wicked and cruel law, as my hon. Friend the Member for Wolverhampton has repeatedly shown. And that was its characteristic from the hour when it received the Royal Assent down to the hour when it was repealed. The right hon. Gentleman the Chancellor of the Exchequer twits my hon. Friend (Mr. C. Villiers) about the extent of loss which the country has suffered in the reduced value of food which has taken place since the repeal of the Corn Laws; but, in answer to that, I will take leave to call the attention of the hon. Member for Cambridgeshire (Mr. E. Ball), who is the honest supporter of the principles of protection, to the statement I am now about to make. I have made inquiries—extensive inquiries—amongst families in different classes of society on the subject, and I find that the actual cost per head in each family of the article of flour, in all its various uses in a household, is about 10*d.* per week, which is about equal to 45*s.* per head per annum, which, for 22,000,000 of persons, gives something like 63,000,000*l.* sterling. Now, if the food of the people of the United Kingdom cost 60,000,000*l.*, with wheat at 40*s.* per quarter, with wheat at 60*s.* the cost must be 90,000,000*l.* But the right hon. Gentlemen thinks, no doubt, that the nation has taken all that difference from the farmer and the agricultural class, and if the same quantity were consumed now as before, of course the loss would fall on their shoulders; but seeing that a vast proportion of this extraordinary quantity of food is brought from abroad, and paid for by our manufactures, the 30,000,000*l.* can form no indication or measure of the loss which the agricultural class has sustained. Well, then, how is the balance made up, because I admit that the agricultural class has sustained a loss? We never pretended to deny that, but always said that it would be the one result of the repeal of the law. But if they have a loss, it is made up by increased production, by greatly improved cultivation, and extended markets for the sale of wool and animal food. They had also, like all the rest of the population, lighter burdens to bear and cheaper living, besides an enormous gain to all classes of our population who are consumers of agricultural produce at all. Now the Chancellor of the Exchequer admits fairly that the country has decided against him, and I think that every Gentleman on his side of the House will also admit that the country is decidedly with us. There is much unanimity both in and out of doors on the subject, notwithstanding that many objections are entertained on the other side of the House to free trade; but the free-trade majority in this House is but a faint and inadequate index of the free-trade majority that exists throughout the United Kingdom. My hon. Friend the Member for Wolverhampton submits a Motion which he considers to be wholly, entirely, and explicitly in confirmation of the decision of the country, while we believe that the Amendment of the right hon. Gentleman the Chancellor of the Exchequer is made with a reservation which may possibly involve us in hurtful and injurious consequences in the future. Therefore we propose the Resolution, and prefer it to the Amendment. Can any free-trader doubt for a moment whether, with the interest of free trade—because that is the matter before us—it is not for the advantage of the country that the House should agree to the Resolution rather than the Amendment? Can any one, I say, who is a free-trader, conscientiously doubt which it is proper to do? But if any man does doubt, let him just turn for a moment to the course taken by the supporters of the Government on a recent occasion when they were before the country. I am disposed now for a moment or two to ask the attention of the House to the opinion expressed in July last, when the conclusion of the elections was not so apparent as it is now. What were the opinions of hon. Members opposite, as well as Members of Her Majesty's Government, then? Now, there is a Gentleman just come into this House to whom I can refer. I have not the pleasure of his acquaintance, but he bears the name of a noble Lord who was the leader of the Protectionist party after the break-up of the Peel Administration in 1846. I have often wondered during the last few days what would have been the course Lord George Bentinck would have taken if he had been alive to see what we look upon to-night. I think I know the course he would have taken when beaten by facts, when the case was closed against him. I think he would fairly have admitted his defeat, and I think he would have said what we did to Sir Robert Peel after the heavy charge which we brought against him, namely, that if the repeal of the Corn Laws was necessary, he was not the man who ought to carry it—"We are not the persons who ought now to be entrusted with the guardianship of free trade, or to undertake the further extension of that policy." That, I think, would have been far more satisfactory to the country than the position you are now taking up of sticking pertinaciously to office. ["Oh, oh!"] Hon. Gentlemen opposite cry "Oh, oh." Well, then, I will withdraw that expression, and recall to their recollection what fell from the right hon. Gentleman the Chancellor of the Exchequer. He told us that he did not mean to give up place. Now my opinion is, Lord George Bentinck would have said, "No, if we still hold our former opinions, we had better give up place, and go into opposition, where, at any rate, there can be no imputations thrown out against our motives." To revert now to the opinions of the supporters of the Government, the hon. Member for West Norfolk (Mr. Bentinck) is reported to have said, that "he believed it was impossible that a free-trade policy could ever be carried out in this country, and he would do his utmost to have that policy reversed." I am reporting from the paper that came into possession of the Queen's Speech so mysteriously — I refer to the *Morning Herald*, which is considered often obscure, and at the best of times not over-distinct, or easily to be comprehended. The hon. Member for North Warwickshire (Mr. Newdegate) speaking at Coleshill, on the declaration of the poll, avowed himself—

> "To be as much a protectionist as ever, and he was satisfied that if Lord Derby saw that it could be easily attempted, protection would be restored in its old form; or if it could not, Lord Derby would retain office to improve the position of the farmer."

Now, that formed precisely the reservation in the Amendment of the right hon. Gentleman the Chancellor of the Exchequer, which is to be feared at the present time. At the South Warwickshire election, one of the present Members (Lord Brooke) speaking at the nomination, said—

> "His own opinion remained unchanged upon the question of free trade, and he thought the changes which Sir Robert Peel made in our commercial policy had been most injurious to the interest of the country."

The hon. Member for West Norfolk (Mr. Bagge), pledged himself at the election—

> "To support Lord Derby's Government believing that the noble Lord was disposed to assist the agricultural interests against the inroads of free trade."

The hon. Member for West Sussex (Mr. Prime) said—

> "It appears to me that free trade is only calculated to diminish the employment of every trade and profession. All the working classes are suffering from it, and the manufacturers and shopkeepers are endeavouring to meet the falling-off in their profits by extending their trade."

The hon. Member for Cambridgeshire (Mr. Yorke), said nothing more than what I expected from him. He is an independent gentleman, and I am sure he will honestly carry through, if he can, the opinions which he entertains. He expressed his—

> "determined adhesion to the principles of Protection, and his surprise at being called upon to renounce those principles on the ground that they were untenable. It might just as well be asked of a man enclosed in an iron cage to give up his notions of liberty; but he should retain his opinion, and take the first opportunity that occurred of recording it in favour of Protection."

Another of the hon. Members for Cambridgeshire (Lord G. Manners), the brother of the noble Lord at the head of the Woods and Forests, expressed "his determined intention to support the Government of Lord Derby, believing that the noble Lord would remedy the hasty and inconsiderate legislation of 1846." The hon. Member for North Lincolnshire (Mr. Stanhope), said—

> "He wished to protect not only the farmer, but the British labourer, against excessive foreign competition." "If they disagreed with him on the subject of a *5s.* duty on wheat, why should they not have a sufficient duty on oats, barley, and beans, which would enable them to sell their wheat at a cheap rate to the consumer?" "They who voted for the repeal of the Corn Laws were Destructives. He alluded to the deadly enemy of the agriculturist — Graham, and Cobden and Bright coupled with him."

I now come to the third Member for Cambridgeshire (Mr. E. Ball). He is reported to have said, "The more he thought over the matter, the more he was convinced that free trade was one of the greatest curses that ever befell this country." I hope the hon. Member is of the same opinion yet. [Mr. E. BALL: Quite so.] I do not find fault with the hon. Member, because he has repeated the same opinion in this House with great fairness, and pursued a straightforward honest course. The hon. Gentleman is not in office, he holds no employment under Government, he is not a privy councillor, nor does he hold any political position in connexion with the Ministry, and therefore he has nothing whatsoever to gain by changing his views or tactics. He therefore presents to us what I cannot help feeling to be the mistaken opinions of the farmers of Cambridgeshire. He is one of those in this House who treats them with no duplicity, but says precisely what he means, and does the best for them that he can. The hon. Member for Hertfordshire (Mr. Halsey), at the last election, declared "that he had not in the slightest degree changed his opinion as to the policy or impolicy of free trade." The noble Lord the Member for South Lincolnshire (Lord Burleigh), said that "in his opinion the Bill of 1846 not only remained, but was actually strengthened by experience." He then gave to the simple farmers half a column of statistics about ships, colonies, and sugar, and something about corn, and then, no doubt, excited by the triumphant nature of his own efforts, he exclaimed, "Surely these facts were enough to make him adhere to his resolute opposition to free trade;" and the noble Lord concluded his address by "denying the assertion that free trade had produced happiness to the people." The House will perceive that I am endeavouring to show how anxious the free-traders opposite are to carry out the principles of unrestricted competition. Well, but it is only fair that we should know what these Gentlemen were when they were supposed to be speaking to their constituents with openhearted frankness; and to proceed, I may mention that the noble Lord the Member for North Leicestershire (the Marquess of Granby), declared that "he would ride the horse of protection as long he was fit to go out with." The right hon. Gentlemen who now form the Government entertain a contrary notion, for their opinion seems to have been that they would ride the horse of protection only so long as he was fit to get "in" with. But to return to the noble Marquess, who told his constituents that "when the noble stead was not 'fit,' he would take the beast of burden as far as he would carry carry him." The hon. Member for South Northamptonshire (Captain Vyse) said—

> "If again sent to Parliament, he would support the present Government, which he believed to be Conservative, Protective, and Protestant. Lord Derby had said that the best and easiest way to relieve the agricultural distress was to reimpose a moderate fixed duty on corn; but he said, if the country was against it, although he retained that opinion, he would endeavour to afford that relief in another shape."

That is precisely what is meant by the Amendment. The hon. Member for South Northamptonshire (Mr. Knightley) said—

> "Attempts had been made to sow dissension among them by stating that Lord Derby had abandoned Protection and had deceived them. He had said, what he had always said, that, if he could, he would restore Protection. If he could not do that, he would give an equivalent in some other way."

The noble Lord the Member for East Gloucestershire (the Marquess of Worcester)—

> "admitted that the feeling of the country was favourable to the continuance of free trade, but he should go to Parliament determined to support Lord Derby by every means in his power, as he was convinced Lord Derby would propose a reduction of taxation in favour of agriculture."

The hon. Member for Huntingdonshire (Mr. Fellowes), gave them a series of statistics to show that the poor-rates had increased in a greater ratio than the income tax, and concluded with the remarkable statement, "that the labourer would be better off with the quarter loaf at 6*d.* than 5*d.*" with this remarkable proviso, "if he had a wife and four children." Another Member for the same county (Viscount Mandeville) said—

> "he was still as strongly as ever in favour of protection, although the country was opposed to it, and he looked to the present Administration for such measures of relief as would enable agriculture to meet the altered circumstances."

Now, the right hon. Gentleman the Secretary of State for the Home Department made a speech which I think more blameable in him than it would have been in any other Member of this House. I read the speech of the right hon. Gentleman carefully, and I was obliged to turn back to the head of the page to see whether it was the right hon. Gentleman that had been speaking, as I did not think he would have been guilty of so much inaccuracy. Indeed, I cannot up to this moment bring myself to believe that he did intentionally and designedly mistake the case. But he appears to have made a very curious division in his speech, which suited his own position admirably. He approves of everything that

Sir Robert Peel did from 1842 to 1846. I believe he did give his vote against the hon. Gentleman the Member for Somersetshire's Motion, relating to long and short hours.

Mr. WALPOLE: I was not in the House when it was made.

Mr. BRIGHT: But the right hon. Gentleman approved by his speech, to which I am now referring, of the policy of 1846, and then the right hon. Gentleman came down to the spring of 1846, which is the epoch of that particular Act which we are now discussing. The right hon. Gentleman disapproves of the subsequent policy of Sir Robert Peel, and then went on to speak of the local taxation upon land. He seemed to think "the local taxation left on land was 15,000,000*l.*, and that crime and pauperism had diminished from 1842 to 1846, while from 1846 to 1849 there had been an increase of crime and pauperism." It is an exaggeration of the statement of his Colleague, who placed local taxation only at 12,000,000*l.*; but really with some hon. Gentlemen a difference of two or three millions seems of no consequence. The right hon. Gentleman went on to show that pauperism and crime increased under a low price of corn. If he had looked at the returns, he would have found that in 1836 the commitments in England and Wales were not more than about 23,000, and that they rose by 1842 to considerably more than 30,000; and then from 1842, when we had a succession of good harvests, down to 1846—the same results were produced to the country which free trade had made perpetual, and the commitments fell off. Why, this is an argument which I used over and over again previous to 1846. The mere erasure of a Corn Law from the Statute-book of this country could be of no value. If you could always have an abundant supply of food; if there were no obstruction to the purchase of food; if the world's price were the market price of England, then the mere existence of an Act with certain words in it could make no difference to the country; and if the famine of 1846 and 1847 had not occurred, the condition of this country might have continued what it was previously. And I say that the right hon. Gentleman, occupying the position which he did, with the authority of so high an office to support him, had no right to present these statistics to his audience at Midhurst, unless he were honestly satisfied that they bore on the case that he was discussing; but he concluded, by arguing that the farmers were entitled to some equivalent for the advantages of which they had been deprived, and for burdens continued. Now there is a Gentleman in this House—I don't know whether he is in his place—I mean the hon. Member for North Essex (Sir J. Tyrell). [*Here Sir J. Tyrell came forward and took his seat in a more prominent position.*] I ought to apologise for rousing the hon. Baronet from his slumbers, and to compliment him on his admirable temperament, seeing that he can slumber on such an occasion as this. The hon. Baronet said, at the nomination for North Essex—

> "'All he asked for farmers was fair play,' which is precisely what we always ask from them too—'and an alleviation of their burdens. That was a relief which Lord Derby wished to carry out. He, for one, treated with sovereign contempt the insinuation that the old and tried friends of the agriculturists should be regarded as impostors. He said if they were impostors, it was clear that Mr. Lennard—[who, he (Mr. Bright) supposed was the hon. Member's rival]—was an impostor also.'"

The hon. Member for Rutlandshire (Mr. Noel) said—

> "With regard to free trade, his opinions were unchanged; he was still a protectionist; he had always advocated a moderate duty on foreign corn, believing that a moderate duty would benefit the farmer without materially raising the price of bread."

The hon. Member for East Sussex (Mr. Frewen), was remarkably definite in his explanation. He said, at his nomination, that he "certainly was most decidedly in favour of protection;" and on the question being put to him, "Will you bring it forward in the House of Commons?" he answered—

> "If no other man of greater ability would bring it forward, he would. He would do his best to get a Member of greater ability than himself to bring the question forward, and he certainly would give it his cordial support; he was not going to change his opinons."

I come now to a borough Member, the hon. Member for Wareham (Mr. Drax). This, I should observe, is a very peculiar borough, and I hope the noble Lord the Member for the city of London (Lord J. Russell) will take care to include it in any measure which he may bring forward for the reform of the representation. The hon. Member himself and his friends, have, I believe, entirely swamped the constituency by creating votes of a character to which independence cannot possibly belong; and if he had had an independent constituency to deal with, he would certainly not have made the observations which I am now about to read. He said—

> "'He felt great pleasure in congratulating them on the fact that protection was not dead.' 'You have heard me say years ago,' he continued, 'that I could never countenance free trade; I never was a free-trader, but a free supporter of native industry.' And then he concluded with this remarkable statement, 'It may suit some to advocate free trade, but those who do so are of the Manchester school.'"

Well, now, I come to a Gentleman who, I am afraid, is not in the House—I mean the hon. and gallant Member for Lincoln (Colonel Sibthorp) one of those who hold opinions on this subject which are said to be unchangeable. He avowed himself "a staunch protectionist of native industry;" and he said he would not go to the Crystal Palace because he thought that it was encouraging foreigners to the prejudice of our own countrymen. "He would not have gone there," he added, "if anybody would have given him 100*l.* to do so." I now come to a young Member of the House, who is at the same time old in subtle tactics—the hon. Member for Wallingford (Mr. Malins). He said—

> "The 4lb. loaf cost *5d.*, he wanted to make it but a penny more; then the farmers might live, and it was much better to have little with a smiling face, than a great deal with the ruin of those who were connected with agriculture; it was better for lawyers to have little with a smiling face, than for all those who were unfortunately driven into a course of litigation to be ruined."

In all the examples I have yet given, I have, with one exception, that of the right hon. Gentleman the Secretary of State for the Home Department, left untouched the declarations of Members of the Ministry; and to these I will now turn. At the nomination at Kirkwall, the Lord Advocate said—

> "Let this be understood, that I am for free trade on just and equitable principles; and free trade without reciprocity is nothing more nor less than political suicide."

Well, now I come to another case—the case of the right hon. Gentleman the Member for North Lincolnshire (Mr. Christopher). I have a book here which I have no doubt he has seen with great approbation. I do not know whether he is present; he was very much concealed behind Mr. Speaker's chair in the early part of the evening, and perhaps he is not present now, but I believe his Colleague is here. Here [holding up a book] is a published book called the *Poll Book of the North Lincolnshire Election.* There is a circle upon it, and in this circle the words "Glorious Protection Triumph, 1852." On the title-page there is a shield, and, though I am not versed in heraldry, I can perceive as far as I can make out within the shield portraits of three donkeys. The book is dedicated to the tenant-farmers and yeomen of Lincolnshire. It contains a narrative of the election, which is "commented upon," as is stated, "in a conservative and protectionist spirit." There are also a number of pieces of poetry, and the writer says, "It is remarkable that the waggery all proceeds from the conservative party, the free-traders of Lincolnshire having no spirit left." I will now read a few extracts from the remarks of the right hon. Gentleman (Mr. Christopher), and I am very sorry he is not here. He said—

> "'He valued his own independence; he did not undervalue the high position he held in Her Majesty's councils, and he despised the man who did undervalue it; but at the same time he would never sacrifice his own independent principles, or the principles which he believed animated the district of which he was the representative. He held, in common with the Government, the same principles as he did in opposition, and he should do his utmost to give effect to those principles on every occasion on which he addressed the electors of that division of the county; on every occasion on which he addressed the House of Commons. He had invariably maintained the right of protection to native industry, and he never intended to deceive them.' 'A plain question,' he said, 'would be put to the electors, and that question was, whether they would return a sufficient number of representatives to enable the Government to alter and revise the existing policy."

He then went on to say, as if to show how entirely unchanged his opinions were, and that he held all the worst doctrines of the very worst school of protection—

> "He held it to be a safe principle, in general terms, that they ought to levy from the foreigner, in the shape of customs duties, as large a portion of revenue as they possibly could, without interfering with the comforts of the people, by which means the foreigner would be made to contribute to the taxation of the country, and native industry would to that extent be protected." "Those," he added, "were the broad principles on which he thought the policy of this country ought to be based."

But, now, here is the point which I think he ought to consider, with reference to his own position. He said—

> "He never had deserted his professions, and he never should desert them; and if, from any cause, he felt it necessary to desert them, he would take the first opportunity of resigning his seat into their hands, so as to enable them to elect some one more worthy of their confidence."

In his address he said—

> "The question of protection will be decided at the next general election. From that decision there can be no appeal. To abandon you at such a crisis would be a base dereliction of the public duty."

So far, then, for that Member of the Government. There is one other case to which I wish to call the attention of the House; in fact, I think there are two. The right hon. Gentleman the Member for Dorsetshire (Mr. Bankes) said—

> "With regard to British labour and British industry in general, he should pursue the same course as he had taken hitherto, provided the different constituencies of the Kingdom would empower him to do so; he would give to British industry every protection to which he thought it so fairly entitled."

So there is no change in the opinions of that right hon. Gentleman. There is another hon. Member—an hon. and learned Gentleman (Sir F. Kelly) whom I see in his place. I think it fortunate for him that he is a lawyer, because, whatever the reason may be, I fancy the House does allow to lawyers rather more latitude than it concedes to the unlearned. It is, however, a very bad system, and it tends, I think, to produce a very corrupt morality. The hon. and learned Gentleman, long experienced in Parliamentary and public affairs, in addressing some thousands of the constituency of East Suffolk, says—

> "The question is, whether you will, by your representatives in Parliament, and by the power with which the constitution has invested you, support and advance what is called the doctrine of free trade in this country, or whether you are satisfied that it has already done enough of evil, and are ready to withstand its further progress, or at least its progress in the same direction, with all the powers which the constitution has enabled you to confer on your representatives in Parliament."

And then he says, after speaking of the measures of Sir Robert Peel—for it is curious how these things are done—they might have been concocted beforehand at a Cabinet meeting, for they all agree with free trade up to 1846, and dissent from it after 1846—he says—

> "When I come to the last, and I lament to say the crowning act of Sir Robert Peel, when I come to the repeal of the Corn Laws, it is there that I stop; it is there that I protest; it is there that I deny any substantial good; and I affirm that that measure was followed by unmitigated evil."

It is a remarkable fact that the hon. and learned Gentleman was unable to foresee anything of this kind when he voted, as I understood he did, for the repeal of the Corn Law in 1846. He says—

> "I here repeat without dread of contradiction that the effect of the free-trade legislation of 1846, and the great influx of corn into this country from abroad, was not to put one additional pound of bread per annum into the mouths of the people of this country."

Why, the Suffolk farmers themselves cried out, "Oh, oh!" and laughed. The hon. and learned Gentleman said "I will prove it." There is an opportunity for him on this occasion to prove the assertion which he then made. There is one other Member of the Government, respecting whom I wish to call the attention of the House to one or two observations which he made in that very remarkable borough where the farce of an election is periodically performed, I mean, the borough of Stamford. The right hon. Gentleman to whom I now refer (Mr. Herries), is a Member of the present Government, and I really think that, for the objects of this discussion, this passage is more important than any that I have read. He says—

> "We have unfolded our views most fully; we desire to have protection to existing interests; and on looking at the elections, so far as they have gone, it is responded to from most parts of the country. Our side"—that is, the protectionist side—"our side are already considerable gainers. Although we have lost sixteen seats, we are gainers of thirty-two seats in the boroughs already declared. In Liverpool the free-trade party have lost two of their ablest advocates, who have been replaced by two stanch protectionists."

The hon. official Member (Mr. Mackenzie) for Liverpool has gone round the compass before on another question, and I have no doubt he will, from practice, have less difficulty in performing the evolution on this occasion than some of his colleagues. The right hon. Gentleman says further, after enumerating triumphs at Grantham, at Grimsby, at Boston, and at Lincoln, "We may willingly accept the challenge and abide the issue." Why don't you accept the challenge and abide the issue?" Why don't you, instead of losing character with your friends in the country—why don't you, instead of destroying all reputation for morality when you have a seat on that bench—why don't you, in a manly manner, fall in defence of those out of doors, who, though mistaken, have nevertheless trusted you with a fidelity that can never be exceeded? Come to this side of the House, clear off your old errors, and if there be any question on which you can displace those who succeed you, do it as factiously, as earnestly, and as speedily as you can. Now, my object in reading these extracts was to show that it is not quite so apparent as some hon. Members seem to imagine that we are all agreed on this question. I do not believe—whatever the right hon. Chancellor of the Exchequer may have said with regard to his own opinions upon the policy of the Government—I do not believe that his followers are free-traders; and, not being free-traders, how can they have any confidence in him if they are sincere, and he is sincere? Or how can we have confidence that you will guard the citadel of free trade, and carry out a free-trade policy for the future, when we know that three-fourths of those who keep you in office are as much opposed now as ever they were to the policy which we advocate? But there are other testimonies besides these extracts. I have here a circular which was sent to me the other day containing a long list of subscribers to a publication of an English translation of a speech of M. Thiers. It is dated November 2, 1852; therefore it is a very modern production. Now bear in mind that this is a speech of M. Thiers, one of the greatest speeches perhaps that he ever made, delivered last year in France in favour of protection. Now who are the subscribers? Let me observe that when a man subscribes only for himself, he generally limits his subscription to one copy. In this case the first subscriber is "The National Society for the Protection of British Industry," 100 copies; the right hon. the Earl of Derby, 10 copies—remember this is since the Government came into office;—the right hon. the Earl of Malmesbury, 10 copies; the right hon. Mr. Walpole, 10 copies. The number increases in proportion to the audacity displayed in avowing protectionist opinions, and hence we find Sir FitzRoy Kelly down for 20 copies. Then, the rule being still consistently observed, we find the Marquess of Granby subscribing for 40 copies; and then, dropping down to the moderate state of the political thermometer, we perceive the hon. Member for North Warwickshire (Mr. Newdegate) subscribing for 20 copies; while the Chancellor of the Exchequer's name is not amongst them at all. All these copies, however, are subscribed for. The work is a translation of a speech of M. Thiers, to be circulated amongst the manufacturing free-traders in this country. I have observed that here is the name of the Earl of Derby. I find these words: "To which translation has been added that of a note on Russian wheat;" and considering what that noble Lord knew about Russian wheat a few years ago, I think almost any book that he could read on the subject would add to his information on that point. Well, now, after reading these statements to the House, I ask, can any man who honestly wishes that free trade should receive a final and approving verdict to-night—can any man of that kind doubt the wisdom of the course which my hon. Friend (Mr. C. Villiers) has taken? Shall we doubt on this question whether the Act of 1846 was a just, a wise, and a beneficial measure? Shall we allow any evasion? Shall we act in such a manner that the right hon. Gentleman the Chancellor of the Exchequer, who is a great master of words, and who, if there be a chink to get out at, is certain to escape, may hereafter say, "The House of Commons never pledged itself in any manner to that Act, so as to preclude itself from considering whether direct compensation should not be made to farmers and landowners in consideration of that Act having been passed?" Now I state distinctly that if any proposition were made in this House by any Government to impose one form of tax upon any other interest, whether less upon farmers or landowners or more, than upon other classes of the community, I have not a particle of sympathy for manufacturers as against farmers and landowners, that would induce me to support any inequality of taxation. I do not believe—I state it from my honest conscience—that there is anything so permanently dangerous to the institutions of a country, as for the Government to go about amongst various classes taxing here on one ground, excusing there on another, and observing an inequality out of which must necessarily grow a distrust of Government, and a contempt for the institutions under which the people live. I deny that we support this Motion from any feeling of factious opposition to the Government; on the contrary, whenever a proposition is brought forward by itself, having no reference to the law of 1846, I am sure that I am only speaking the general sentiments of Gentlemen on this side of the House when I say that we will give it fair and full consideration, and I trust a candid and honest judgment. But now we have something more to do, and it is not a question between the House and the Government. I, for one, would have nothing to do with this Motion, were it a mere Motion of faction. Oh, oh!"] No, I say that apart from protection and free trade, I would not have voted for a Motion of direct want of confidence against the Government. I am not one of those who would be ready to take such a course as that. We advocate a measure and a policy which we understand; but nobody can say of us that we have acted otherwise than consistently with the object for which we have been sent to the House of Commons, or that we have ever made ourselves the tools or servants of any party or Government. But then I want a final verdict on this question, a verdict delivered in terms not liable to be misunderstood, as were the terms of the right hon. Gentleman opposite. Yes, those terms were drawn up purposely to mislead, as was the paragraph in the Queen's Speech. On the other hand, suppose we pass the Resolution of my hon. Friend the Member for Wolverhampton. There is not a man in the United Kingdom who will not know that by it the Parliament have confirmed the Acts of 1846 and 1847, in compliance with the universal wish of the country. When you decide, also, that the Bill of 1846 was a wise and beneficial measure, your newspapers will carry your resolutions to all parts of the world; among others, to the United States, where a free-trade President has been lately returned by an overwhelming majority. The Protectionist party in the United States were in the same position as the Protectionist party were in here; but they did not give up the doctrine of protection, although they were beaten. Now, if Franklin Pierce should learn that this Parliament has given an irreversible verdict in favour of free trade, will not he be likely to promote for you that reciprocity for which you are so anxious? Don't you think that if this country, by supporting the Motion of my hon. Friend, shows that the advantages of free trade are universally appreciated, it may bring other nations round to the doctrine, and so much more will the free-trade policy be advantageous. Let us, then, put upon the books a Resolution that nobody can mistake, and it will have a good effect, not only throughout the United Kingdom, but in every civilised nation in which the subject is under discussion. I cannot help, before I sit down, addressing a few words to the right hon. Gentleman the Chancellor of the Exchequer, nor can I help contrasting the position of Sir Robert Peel in 1846, with the position which Lord Derby and his friends occupy now. Sir Robert Peel was a man for whom, up to the time I got a seat in this House, I entertained the greatest aversion. But from the time he took office in 1842, I believe that this country never had a Minister who did more, and more honestly, for his country; and I think the line of conduct he adopted after he left office was calculated, if possible, to make his name more revered than his conduct as Minister. I believe there is not a man in this House who does not believe that Sir Robert Peel was honest. He had no inducements for what he did with a majority of ninety at his back. Finding himself irresistibly compelled to repeal the Corn Law by the justice of the case, he did repeal it, and in so doing exposed himself to an amount of vituperative attack and suspicion which I say no Member of this House would be justified in any like circumstances in inflicting on any other Member. But having repealed the law, Sir Robert Peel did not seek to retain office. Had he taken a selfish course and dissolved Parliament, he would have had a large majority in his favour, and no combination in this House could have turned him out. But his strong apprehensions of the state of things in Ireland, and the consequences that might happen there from a dissolution, made him take the course he did, and thus subject himself to the ignominous treatment he received—ignominious not to him, but to hon. Gentlemen opposite. He followed the course which he deemed just and expedient, and did not hesitate to submit himself to a political martyrdom for his conduct. What is the case with the Earl of Derby, about whose chivalry so much has been said? These are hollow phrases which are now very common, but we may have different notions as to their signification, and the Earl of Derby no doubt looks at the question from a different point of view from that which I occupy. But does it not appear that the noble Lord has clambered into office by holding principles in the country, which his right hon. Colleagues says he never held in this House? Do hon. Gentlemen mean to say that when Mr. Chowler was talking of the farmers having more horses than all the rest of the Kingdom, and being best able to ride them, and Mr. Ball was saying he would rather march on Manchester than Paris—we shall be very glad to see him when he comes, whether on horseback or on foot—does the right hon. Gentleman the Chancellor of the Exchequer mean to say that his party were not attempting to repeal the Act of 1846? Why, every one knows that your whole agitation for six years has been, the first part of the time calumniation of Sir Robert Peel, and during the latter part demands for the protection you had lost, or for some compensation in place of it. I was surprised at the right hon. Gentleman, who is the Will-o'-the-Wisp of the party, when I heard him in his speech of this evening endeavouring to get them out of their difficulty. Why, there is not an agony or contortion the semblance of which he has not submitted to in endeavouring to submit the case of the distressed agriculturists to the House. The right hon. Gentleman objects to the words "just, wise and equitable," which I look upon as being the very pith of the Resolution. No man of sense imagines that Government will attempt to restore protection; but I believe it is for the good of the country, and the character of the House, that we should establish by a final decision to-night, that which was believed by the majority of 1846, namely, that the Act abolishing the duty on foreign corn was a just, a wise, and beneficial measure. I must call the attention of the House to the admissions made as to the prosperous condition of the labouring classes in all parts of the country. Look at their employment, how steady it is, and how satisfactory their wages. Look at their moral and social condition, and observe what tranquillity prevails all over the country. Is that no compensation to you, the holders of five, ten, and 20,000 acres? Is it no advantage to you, even if you had suffered pecuniarily—which, as a body, I believe you have not—but if you had, is it no compensation to you that you can enjoy, without the envy of any class, your high ancestral position—enjoy it without the consciousness that some poor wretch is suffering in order that you may be rich? If you look at it in that light, you will find in the condition of the labouring classes ample compensation for any injury which you suppose the repeal of the Corn Law may have inflicted on you. The right hon. Gentleman the Chancellor of the Exchequer, on a recent occasion, I think, in Buckinghamshire—and I should advise him when next he goes there to be a little more careful, for the speeches of eminent men are reported, and what he states in Buckinghamshire he does not repeat elsewhere—charged the revived Anti-Corn Law League with being a Jacobin club. I do not know precisely what that means; but I believe it is looked upon as something rather unpleasant and inconvenient in a country. The right hon. Gentleman ought to have known better. He ought to have known that during the last six years he has not contributed a feather weight, while we, whom he vilifies, have contributed a great deal. Ten or twelve years of our political lives have been devoted to this one object, and although all men should revile us, we stand acquitted by our own consciences, believing that we have worked successfully for the good of our common country. I ask the House to sanction its own policy, to set its seal irrevocably on what it did in 1846, and by its vote of to-night to establish on a firm basis the charter of free industry to the people of this Kingdom.

Mr. KER SEYMER said, he did not think it necessary to follow the observations of the hon. Gentleman who had just addressed the House. But he could not help thinking if the hon. Gentleman were anxious for a speedy solution of the question, he had taken a very curious mode of arriving at it. He (Mr. Seymer) had never heard a speech more calculated to provoke a long debate than that of the hon. Gentleman. He (Mr. Seymer) denied that hon. Gentlemen upon the Ministerial benches had, as a party, raised the question of protection. Individual Members of that party, feeling strongly for the sufferings of their constituents, certainly did raise that question. But the hon. Member for the West Riding (Mr. Cobden) used to say he would not meet these petty attacks upon free trade. He said "raise the question upon a specific Motion, and I will meet you." Well, when he (Mr. Seymer) and his friends raised the question of protection, and when the hon. Member for the West Riding met them by a free-trade Motion, he and his friends would do their best to answer the hon. Member. The question for the House was, whether the people were able to understand from the statements of the Ministry the course which would be taken with regard to our commercial policy? He contended that they were. But there was something peculiar in the atmosphere of the House of Commons. He had returned from breathing the pure air in the wilds of agricultural and Protectionist Dorsetshire. In that county there prevailed no political mists; neither were their hopes or fears excited for one party or the other.

They had been told by the Earl of Derby that it was his intention to appeal to the country, and that nothing but the possession of a majority would cause him to attempt to reverse the existing commercial policy. The noble Earl said the question was to be decided—not for ever, for that was absurd—but decided, for the present, by the result of the appeal to the country. On taking his seat in that House, he (Mr. Seymer) found a very different state of affairs. The hon. Member for Montrose (Mr. Hume) declared that the country was paralysed, and that too with the funds above par—in consequence of not knowing the intentions of Her Majesty's Ministers. How very strange that the country could not understand that which was perfectly intelligible to the minds of the Dorsetshire agriculturists. But the reason why the country and that House could not understand the declarations of Her Majesty's Ministers was very plain—it was because of the amount of party spirit by which they were in a great measure affected. It was because hon. Gentlemen sitting on the shady side of the House were anxious to cross to the Ministerial benches again; and if not able to eject the existing Ministry, at least to damage them as much as possible. Of course, after the declaration made by the hon. Mover of these Resolutions (Mr. C. Villiers), he absolved him from such an intention; but at the same time that hon. Gentleman brought forward a series of Resolutions to which it was quite impossible Her Majesty's Ministers could agree. He hoped, however, that the original free-trade champion would be beaten in that free-trade House of Commons; though, no doubt, that would be considered by the free-trade party as advancing the free-trade question. He maintained that the country had no sympathy with these party manœuvres. He was tired of the Whigs, and was anxious that Her Majesty's present Conservative Ministry should try their hands at those practical reforms which might be introduced consistently with the genius of the Constitution, and with which the Whigs had been trifling for the last five years. The noble Lord the Member for the City of London (Lord J. Russell) seemed to wish it to be understood that there was something in the constitution of that House that hindered him from carrying out those reforms, and had left to an ungrateful country a legacy of reform. He could only say that he had no prejudices on the subject of the franchise; and if the subject was brought forward by Her Majesty's present Ministers he should deal with it in a candid and liberal spirit. If the House of Commons, as at present constituted, was to deal with the question of those reforms on which the hearts of the people were said to be set, all that was wanted was that the Ministry should be able and willing to deal with them. Such a Ministry they now had, and they should have his cordial support. It was said that all this had arisen from the ambiguity of the language in the Queen's Speech. It was said, that this Speech first said the industrious classes were prosperous, and then that they were suffering. Suppose, it was said that the labouring classes were prosperous. He freely admitted that the agricultural labouring classes were prosperous, and he rejoiced from his heart at it. He was as sincere a friend to the labouring industrious classes as any hon. Member present. If any illustrious foreigner had been in the House during the debate on the Factory Bill, he would say that humanity was on his (Mr. Seymer's) side of the House, and the flinty hearts on that of the Manchester benches. But they were not the only industrious classes. He supposed that the farmer, who rose early and took his rest late, was one of the industrious classes. He supposed it would be allowed that the master manufacturer, who managed the varied relations of a large concern, was one of the industrious classes. His industry, he rejoiced to say, was prosperous, but he wished he had a little sympathy for others. It might, therefore, be assumed consistently with truth that some of the industrious classes were prosperous, but others were suffering. Now, it should be borne in mind, that owing to the prosperity of the country they had a surplus revenue, and in the distribution of that surplus he thought it but fair that the suffering class should be considered. If any inequalities existed which in their former artificial state were not observed, that class had a right to be considered in any alteration or revision of taxation that might take place. With regard to the terms of the Resolution of the hon. Member for Wolverhampton, he invited the House to say, "that the Act of 1846 was a wise, just, and beneficial measure." Now, a measure might be very successful, and yet not have been a wise measure at the time it was passed; and it might not be just, unless accompanied by those other measures that were required to make it so. He would not detain the House by quoting *Hansard* to point out the measures which it was said should accompany the repeal of the Corn Laws, but would observe that not one of them had been passed. Then, they were asked to say—

> "That the maintenance and further extension of the policy of free trade, as opposed to that of protection, would best enable the property and industry of the country to bear the burdens to which they were exposed."

He ventured to say that that which would best enable property and industry to bear their burdens would be an equal distribution of taxation; but if he took the Resolution of the hon. Member for Wolverhampton, he would debar himself from obtaining that adjustment of taxation which he believed to be necessary. Then, he was asked to vote that that House was "ready to take into consideration any measures connected with the principles of the Resolution which might be laid before it by Her Majesty's Ministers." It was not, usual, however, for the Opposition to teach them what measures of the Government they should support, and he certainly would rather take information on that point in the usual way from a Secretary of State than from Gentlemen on the other side. The hon. Gentleman had used a great many arguments to prove that there was no distress among the farmers. On this point many balance-sheets had been published and not answered. It was all very well for a fancy farmer to say his books were on the safe side. He did not believe they were ever very safe, for the fancy farmer seldom made such profit. One thing, however, had been done—it had made the farmers all active politicians. There never was a greater mistake than to say that the farmers had been urged on upon that question; they had felt upon the question strongly themselves, and had urged on the class above them. It was well known that the farmers were in the habit of voting in accordance with the wishes of their landlords; but he appealed to hon. Gentlemen opposite whether they could show any instance of a free-trade landlord having induced his tenants to vote for free trade. It had been notoriously the other way. He rejoiced that this valuable class of the community had learnt to value the franchise, and that the agricultural voters would become an enlightened political constituency. That was one good result that had followed free trade. One word with regard to a point which had been touched upon by the hon. Member for Manchester (Mr. Bright), he meant with regard to political morality. Hon. Members could not forget the celebrated debate in 1846, which had led to the resignation of the Peel Ministry. It was not by any combined movement, because at the time there was a great difference of opinion among the Protectionist party. Many hon. Members believed that the obligations of a party leader had been departed from by the right hon. Baronet, and withdrew their confidence; but many still voted with him, and he (Mr. Seymer) was one of those. He did not blame those who took a different course. He thought those hon. Members whom the right hon. Baronet had so often led to victory, and whom he had abandoned, had great cause of complaint, and he (Mr. Seymer) was not surprised at their abandonment. But he must remind the House that the right hon. Baronet was not turned out by the combined action of what was called the Protectionist party. He would say also that that party, which might more properly be called the Conservative party, separated from Sir Robert Peel on the question of protection. In that party there were various shades of distinction. Some thought it impracticable to restore protection; others there were who looked in vain for the signs of reaction which might enable them to restore protection; and he (Mr. Seymer) had looked to his own constituents in that way. Many believed that the country was getting tired of free trade, and that the period would again arrive when protection might be restored. The question was, what were they (the Protectionists) to do after Sir Robert Peel had been displaced? Were they to leave the country to the tender mercies of the noble Lord opposite (Lord J. Russell) and his Friends? Could they look to Sir Robert Peel? Certainly not. They soon found out that by the course the right hon. Baronet took on the question of sugar. He did not blame him; the right hon. Gentleman felt strongly on the question of the admission of slave-grown sugar, but he supported the Bill of the noble Lord (Lord J. Russell). That he took to be the true state of the case with reference to the party which had been accused of turning Sir Robert Peel out of office. But, as regarded the late Ministry, they were not turned out—he might say they fell out. Their most able and distinguished Colleague had been unceremoniously turned out; that tended to weaken the Government, and ultimately compelled their resignation. That being the case, the charge against the Earl of Derby assumes a very different aspect. He did not think the conduct of the noble Lord called for that virulence of language which he had heard that night. Considering the question was a party move, the materials were somewhat incongruous. He saw the noble Lord the Member for the City of London, the author of the Ecclesiastical Titles Bill, sitting by the side of right hon. Baronet (Sir J. Graham) the leader of the opposition to that Bill. On that bench he saw hon. Members from Ireland, supporters of what they were pleased to call religious equality, and who had come there to obtain the repeal of that Bill. He saw there the noble Lord the author of the Militia Bill, which he believed to have been necessary for the defence of the country; and he saw behind him hon. Gentlemen, of what was called the Manchester school, who thought the country sufficiently well defended already, and some of them believed that it was too well defended, believing that free trade would put an end to all prospect of war in future; but in that they were, he was happy to say, opposed to what was the general feeling of the country. He saw an hon. Member the eloquent assailant of the Church, and another who was most ardent in its defence. A certain noble Lord, of some literary reputation (Viscount Maidstone), was reported to have said, that after Lord Derby's Government the "Deluge" might be expected; but he thought he might go back still further, and say, that after the present Ministry there would be chaos, for there never appeared to be a greater confusion of opinion than among hon. Members opposite. In the present instance they had found a valuable gold mine, which they were all intent in working with all the energy of Australian diggers. But the vein would soon be exhausted, and then where would they be? He had confidence in the present Ministry, and did not wish to see the country thrown into confusion. He thought the language of Ministers sufficiently clear not to mislead the country. He did not think it was either generous or right in hon. Members opposite, whatever their political opinions might be, to force those words upon Her Majesty's Government which must necessarily be offensive to hon. Members on that side of the House. How far they might act upon it by their votes, he could not say. It appeared to him unfortunate that the final settlement of the question of free trade should be mixed up with a party Motion, and that in a House where they were prepared to carry out the views of the hon. Member for the West Riding (Mr. Cobden), they should be met by a Motion which they would be obliged to oppose, and, as he thought, successfully. The public would find it difficult to understand these things, and they would fancy that the free-trade party were beaten in a free-trade House. That would be a very remarkable consummation for the question of free trade to arrive at. At that late hour he would not trouble the House further, but would conclude by giving his cordial assent to the Amendment of the right hon. Gentleman the Chancellor of the Exchequer, and opposing the Motion of the hon. Member for Wolverhampton.

Mr. F. PEEL: Sir, however divided in opinion this House may be on the question that is now submitted to us—although one party will vote for the Resolution, and another party will vote for the Amendment—I apprehend that we shall all readily concur in one point, and that is, that Her Majesty's Government have made great advances, and are continuing to advance at a very convenient speed from one set of principles to another—from protection to that which the right hon. Gentleman the Chancellor of the Exchequer has stated to be popularly but most erroneously called "free trade." Why, I really feel that I ought to make some apology for employing a term apparently so offensive to the right hon. Gentleman as that. I remember a time when Her Majesty's Government, then in opposition, felt some reluctance to make use of the word "protection," and substituted for it the more fashionable phrase of "countervailing duties;" and so in the same way we are now called upon to give currency to the new expression of "unrestricted competition"—a good expression in itself, no doubt, but to my mind not so clear, not so handy, not so intelligible, as that familiar word of "free-trade," which I shall use, using it in the sense in which Her Majesty's Government use the term "unrestricted competition." Now, Sir, I have no desire to enter into the general question of free trade. I conceive that that is a question which is admitted and conceded upon both sides of the House. If any evidence should be required in its favour, we may be safely referred to the speech of the hon. Member for Wolverhampton (Mr. C. Villiers), and the speeches which I have no doubt would be made in support of that great principle by other hon. Gentlemen who will follow in the course of this discussion. But I am desirous of stating shortly what are my reasons for giving the preference to the Resolution of the hon. Member for Wolverhampton over the Amendment of Her Majesty's Government. The right hon. Gentleman has appealed to us to review dispassionately and fairly the position of the Government; and I am sure that, speaking for myself, I have no other wish but to take that course. I acknowledge and have always considered that from the time that Her Majesty's Government acceded to office, they became virtually and substantially free-traders to a considerable extent. I have never thought that any of the great measures in which the principle of free trade is embodied, incurred any risk from Her Majesty's Government succeeding to the responsibilities of office. The Act repealing the corn laws—the Act repealing the navigation laws—the Act admitting sugar the produce of foreign free or slave labour upon equal terms, or, at all events, upon an approximation to equal terms with sugar the produce of our own Colonies, I considered were, from the first moment, placed far out of harm's way, and beyond the reach of any Government to disturb. I did not believe that any Government, however deeply imbued with protectionism, would have the courage to assail the foundations of those great and imperial measures. I never thought that Her Majesty's Government would venture to bring forward any plan, for example, for again preventing the produce of three quarters of the globe from coming to the shores of this country in any but British ships. I never expected any plan to be submitted by a Protectionist Government for again handing over the carrying trade between one colony and another colony, between this dependency and that dependency, or between all our dependencies and the mother country, to a monopoly of British shipowners; and I felt certain that we should never again have any duties imposed upon cotton, or wool, or timber, or any other of the raw materials of our manufactures. I felt certain that no duties would ever again be placed upon our provisions, our live stock, or even upon corn itself. I am now ready to give the Government credit for being free-traders even to a fuller extent than this. It is impossible for me to resist the evidence of the Amendment of which they have given notice. I accept it. I believe it is their desire henceforward heartily to abide by and faithfully to respect the principles of free trade in any measures of financial or administrative reform which they may hereafter submit to this House. But if I am asked whether I am content with this rate of progression, I say at once that I am not. The right hon. Gentleman has said that there is something unfair, something ungenerous, and, what he thought was much worse, something even unwise, striking at the root of all government, in pressing forward a Resolution of the nature of this proposed by the hon. Member for Wolverhampton: it was wounding the susceptibility of hon. Gentlemen opposite—it was an unnecessary outrage upon their feelings. I admit that, in all probability, if left to themselves, what with the combined pressure of public opinion out of doors, and the House of Commons within, Her Majesty's Government might, at no distant period, judging from the rate at which they are now advancing, repeat in the most approved fashion the whole creed and all the formularies of free trade; and the line of argument which they have adopted to-night is that of calling upon us to hail them as converts, rather than to try and brand them with the stigma of apostacy. But, Sir, I must state why I think there is nothing unfair in pressing forward this Resolution. In the first place, it is impossible not to comment upon the manifest opportuneness of this change on the part of the Government, and the obvious bearing it has upon the duration of their tenure of office. It is clear, too, that only the upper part, if I may so express myself, of the Protectionist party, first that portion which has been exposed to the warmth of the rays of official dignity, has accepted free trade. All the residue are as far from adopting it as ever. Why, I must appeal to the extracts which have been read by the hon. Member for Manchester (Mr. Bright) as evidence of what I say. Can it be disputed that in the month of July all that portion of the party of which I am now speaking were as strong Protectionists as ever they were? Is there, then, anything ungenerous to them in assuming that they are still as unripe, as crude, as indigestible as ever was fruit turned away from the light and warmth of the sun? I think, therefore, that it is reasonable to exact from Her Majesty's Government some positive test of their sincerity, something that should act as a line whereby we may probe and fathom the depth of their counsels, their convictions and their plans. It is impossible to forget that for seven long years—eager as the hon. Gentleman who has just sat down now is to disclaim protection—they were the sworn advocates of a policy the very reverse of that which is enunciated in this Resolution of the hon. Member for Wolverhampton, as well as in the Amendment of the Government; and that now only at the last moment are they prepared to abandon that policy, and to discontinue pressing upon us its adoption. I repeat, therefore, that nothing is more reasonable than that we should exact from them some resolution by which they shall recant once for all the false doctrines which they had imbibed, and put it in our power, out of their own mouths, and by their own admission, henceforward to convict them, if occasion should require, of the injurious and obstructive course which they pursued while they were in opposition. Sir, I must also say that I think something is due to the past. We cannot forget how hard a measure the right hon. Gentleman especially, along with his colleagues, dealt out to others for a change of their conviction —and I must add, a change of conviction which had tenfold of the palliation for it, and not one-tenth part of the provocation in it, that has now the course pursued by Her Majesty's Government. Not that I wish—far from it—to embitter the political discussions of the present day with an infusion of personal topics. I neither desire myself, nor do I wish to see anybody else, press invidious points of that description. I have no wish to see Parliamentary passages, which reflect no credit on Her Majesty's Government, reacted in this House; but I do think that some reparation is due to the past, and at this solemn conjuncture it would be a fitting act of retributive justice if those who heaped obloquy upon the authors of the Act of 1846, should now have the candour to come forward and acknowledge that it was a just, wise, and beneficial measure. But, Sir, I entirely agree with the hon. Member for Manchester that this is not a question between the House and the Government; I do not consider that this is in any degree a party move. I can only say that, for my part, I have no desire to see Her Majesty's Government dispossessed of their offices; but I consider on the present occasion the House is discharging a solemn act of duty towards the country. The performance of this act of duty has been imposed upon us by Her Majesty's Government itself. There was no occasion why this duty should have been devolved on the House—on the contrary, there was every probability that it would not be. The Government stated distinctly in the last Parliament that they appealed to the country to know what course they should adopt with reference to their commercial policy; and it was acknowledged by a right hon. Gentleman who is admitted to be familiar with that description of subjects—the right hon. Gentleman the Secretary at War (Major Beresford)—that the sense of the country had been decidedly adverse to them. Nothing, therefore, could have been more simple than for the Government to have come forward, and frankly admitted in Her Majesty's Speech that the question was settled, and that henceforward they abided by the sense of the country. It was not necessary in taking that course for the Government to make Her Majesty a partisan, as has been said by the right hon. Gentleman—nor need She have given an opinion one way or the other —but She might have been allowed to speak as plainly on that question as She did on other topics introduced into the Speech. But, instead of taking that course, the Government adopted one entirely opposite. The right hon. Gentleman the Secretary for the Home Department (Mr. Walpole) admitted that the paragraph of the Speech to which we looked with most interest, was framed with a studied ambiguity, and so as to be capable of a double construction. It was meant to be taken in one sense or the other according to the humour of different parties; it was so framed, that a Protectionist follower of the Government should conceive that it leant to his side, whilst a friend to free trade should accept it as speaking the language of his own doctrines. The real object, no doubt, was to prevent either party, if possible, from proposing an Amendment to the Address. I say, therefore, that that being so, it became absolutely incumbent upon this House to avail itself of the first fitting opportunity which should be presented to place upon record a declaration of its opinions on this important question so clear, so unambiguous, so decided in its precision and its perspicuity, and at the same time so general and comprehensive, as should satisfy every man what are the views of this House—what are the views of the Government which we honour with our confidence, and so as to remove every ground, I do not say only of solid and substantial objection, but to leave not so much as a plausible pretext for taking exception to the Government on the score of their commercial policy. That, I conceive, was the course which the conduct of Government made it incumbent on this House to pursue. Now, Sir, I understand that the hon. Member for Wolverhampton has brought forward his Resolution in pursuance of this plain and imperative duty. Being laid upon the table of the House, I had of course an opportunity of reading it. It appeared to me to effect its object in the manner which I thought was desirable, and I determined in my own mind that I would give it my support. Then came the Amendment of Her Majesty's Government; and I confess I see no reason why I should alter my intention of voting for the Resolution of the hon. Member for Wolverhampton, and support the Amendment of Her Majesty's Government. Some might think it becoming that a proposition emanating from the Government should have preference over one from a private Member; but with respect to this particular question there can be no doubt that a Resolution comes more properly from an independent Member of the House than from Her Majesty's Government, because they have somewhat ostentatiously declared that they have no principle of locomotion in themselves—that whether they were to go backward or forward, was a question to be decided by Parliament and public opinion, and that this House was to pull the strings by which they were to be set in motion. The right hon. Gentleman has threatened us certainly with a resignation of the Government in the event of this Resolution being carried. But I can hardly treat a menace of this kind as very formidable; for this would appear to me a most singular course — a straining at a gnat after swallowing a camel. Will you swallow the substance of free trade, and wince at its shadow? Will you gulp down the whole potion at a draught, and grumble at us because the preparation is made up in a particular way? I confess I am not much deterred by the threat of the Government; I must take this opportunity of saying that I by no means undervalue the admissions which have been made by them, and which I regard as significant and suggestive. In the first place, they have admitted an improved condition of the working classes, and the general prosperity of the country. It is right, however, that it should be borne in mind that the prosperity is in no degree due to those who now compose Her Majesty's Government; on the contrary, it has accrued in despite of their strenuous and persevering exertions to depress and keep down the condition of the labourers in this country. I make this statement upon the authority of the Government itself—upon their admission that free trade has brought us cheap provisions, and that cheap provisions have done much to secure the prosperity of the working classes. Surely, if that be so, fortune was never more blindfold, never so eccentric in the distribution of her favours, than when she metamorphosed the hon. Gentlemen who sit opposite—who have contributed nothing to that prosperity—into great officers and Ministers of State. Well, then, if this prosperity is not due to hon. Gentlemen opposite, to what is it due? By their own admission, wrung from them reluctantly in the first instance, it is due to unrestricted competition. Here, then, we have the recognition of an important fact, and of its being traceable to a particular cause. Still I think the House ought not to omit to ask what inference we shall draw from this avowal. Do you intend we shall construe it as implying a change of convictions in your minds, or a change of intentions only in your policy? Unless Ministers have really and sincerely changed their convictions, they can hardly expect that we should entrust them implicitly with the charge of this great question. What reason, however, is there to conclude that there has been any such change in their convictions? We know well enough that the Secretary for the Colonies was but the other day of opinion that nothing short of arresting the descending scale of discriminating duties in favour of British colonial sugar could possibly pluck the West Indian colonists from the despondency into which they had sunk, and place them again in the prosperous position they had been wont in former times to occupy. Members of the Government also have declared over and over again in the course of the present year, that whether they should be able to carry their opinions into practice or not, they considered that a moderate fixed duty would alone place the agriculturists of this country in a position of fair competition with foreigners. If, on the other hand, there is only a change of intention in Her Majesty's Ministers, I do not think they are entitled to claim credit for liberality, or any very kindly treatment at our hands. I conceive they have changed their intentions simply because necessity compelled them to do so. Take away the pressure, and what security have you that their ancient errors will not again sprout up with all the rankness and luxuriance of their former vegetation? These are the general views with which I support the Resolution of the hon. Member for Wolverhampton, in preference to the Amendment of the Government. But when I come to look clearly into that Amendment, I find still greater reason for feeling distrust and suspicion of it. The Resolution of the hon. Member looks backward as well as forward; it reviews the past and surveys the future, and does both in the most complete and explicit manner. The Amendment merely glances at the past, and is studiedly ambiguous as to the future. I never remember to have read a more frigid and unimpassioned admission of the great blessings which have resulted from free trade. There is not an inhabitant of this country, from the Queen on Her Throne to the humblest peasant in the land, who has not derived advantages of one sort or another from free imports. No one can deny that free trade has added new strength and stability to the institutions of this country, and given us fresh confidence in their durability. No one, I am sure, can deny that it has given us new securities for international tranquillity, and cemented the bonds of peace between different countries. Who will refuse to recognise the magnificent extension of our foreign trade? There is not a loom, not a spindle, not a factory, nor a workshop, which is not producing more than it has ever done before; and it will be found that our foreign trade has increased fifty per cent in ten years, from 50,000,000*l.* to 75,000,000*l.* Yet all that we have in the Ministerial Amendment is a cold and unimpassioned reference to the cheapness of provisions. No doubt this cheapness is one of the greatest benefits derived from the recent policy; but Ministers have taken pains to make this admission as valueless as possible, by declaring that cheapness, if left to its own single operation, would have led to a reduction of wages, commensurate with the fall of prices. They have announced that the reason why wages are so high must be sought for in the imports of gold, and the extensive emigration that is proceeding. I hoped that the right hon. Gentleman would have answered the appeal so pointedly made to him by the hon. Member for Wolverhampton, and explained the manner in which gold and emigration had operated to improve the condition of the labouring classes. I, myself, think that they have influenced it in a very slight degree. Look to the agricultural districts—we know that there are not more employed in agriculture now than there were thirty years ago, and the emigration of this year, though more extensive than ever before, has certainly not come up to the natural increase of births over deaths; whilst with regard to the manufacturing districts I believe that emigration, so far from raising the rate of wages, has rather had a contrary effect, because the multitudes coming from Ireland have inundated Lancashire, Yorkshire, and the midland counties, with numbers of labourers competing for employment and depressing the scale of wages and the standard of living amongst our own working classes. With reference again to that part of the Amendment which is prospective, it appears to me to be unsatisfactory in omitting all reference to the important question of compensation. We know the position which Government holds on this subject. They have told us recently, in Her Majesty's Speech, that the agricultural classes are suffering from competition, not because it is unrestricted, but because they are burdened with special taxes, imposed to countervail in some respect the advantages they enjoyed in the way of protection. I have no wish to prevent the Government from bringing forward those measures of a general character which they have promised; but they do not affect the question of compensation. The agricultural classes, according to the Ministerial view, are asserted to be in a position of disadvantage as compared with the rest of the community, and to be subjected to a disproportionate share of taxation. If you bring forward measures of general advantage to all classes, what peculiar advantage do the agriculturists derive? They will remain in the same relative position that they were in before; and there will still remain the special injustice to be redressed, and inequality to be removed. I think it important, therefore, to take this opportunity of setting at rest once for all the question of compensation. I will only add that the more I examine the Resolution and the Amendment, the more reason I see to approve the one, and disapprove the other. I see nothing factious, nothing like what the right hon. Gentleman called a vexatious movement, in this proceeding. I do see two things clearly enough—I see a Government halting between two opinions, trying to shape their course between difficulties that present an unpleasant alternative on either side, and to reconcile the retention of office with a character for consistency. On the other hand, the country is clear, decided, and explicit in its views. The right hon. Gentleman, in concluding his speech, appealed to the new Members of this House to lend him their support on this occasion; I hardly venture to make an appeal to them on behalf of my own views. I am as young in years, almost as young in public life, as they; but I am sure of this, that if they wish to earn a title to the confidence of the country, they will record their vote in support of this Resolution, and prove thereby that they are the true representatives of the sense of the country, and that their conduct breathes the spirit of the people, and is stamped, as it should be stamped, with the impress and image of its mind.

VISCOUNT PALMERSTON: Sir, I shall not detain the House but for a few minutes in requesting their indulgence to allow me to state shortly the view which I take of the propositions which have been submitted to the House, and of the position in which the House seems likely to be placed. I have stated on a former occasion, and I repeat it now, that I think it was not only proper, but under the circumstances in which we were placed, absolutely necessary, that some Member should propose to the House a Resolution answering the question which Her Majesty's Government put to the country by the dissolution of the last Parliament. If, indeed, that portion of the Speech from the Throne which treated of the question of free trade and protection had been couched in language more plain and unambiguous, it is possible that the Address in reply to the Speech might have been accepted as the answer of the House on the part of the country to the question of preference between the two opposite principles of commercial policy. The Speech, however, was in that respect undoubtedly as ambiguous as words could make it; and that fact increased the necessity, in my opinion, for such a course as that which has been now taken. Now, Sir, it was not necessary, indeed, with a view to settling what should be the policy of the Government and of the Parliament, that any opinion should be expressed upon the subject; because I think that those who have watched the progress of public opinion, and have observed events in this country, must have long since made up their minds to a full conviction that a reversal of the policy which was adopted in 1846 and the succeeding years, was as impossible as any physical event that could be mentioned. But it was fitting that Parliament should express an opinion, and in many respects it is most desirable that that opinion should be expressed with all the weight that the opinion of the Parliament could carry; and in order to give to that expression that weight which is proper that the expression of its opinion should carry, it is, in my humble opinion, most desirable that the opinion should be expressed, if not with unanimity, at least by as large a majority as possible. Now, Sir, in regard to the Resolution which my hon. and learned Friend (Mr. C. Villiers) has proposed, there is not one word in that Resolution to which I, for my own part, should not be ready most implicitly to subscribe. I concur in the opinions expressed in that Resolution:—with regard to the past, with regard to the present, with regard to the future, I think the measures of policy of which it treats were wise, were just, and have been beneficial. I think with him and with the Government, according to the opinions expressed in Her Majesty's Speech and in their addresses, that the improved condition of the country, and especially of the industrious classes, has been mainly the result of that recent legislation which has removed protective duties, and which has established the principle of unrestricted competition. I need not say that I concur with my hon. Friend and with Her Majesty's Government in being ready to affirm that that system ought to be, and must henceforward be, the guiding rule of the legislation of this country. Well, then, Sir, if the Motion of my hon. Friend were put by you to this House "Aye" or "No," I should be compelled by my own convictions to say "Aye" to that Resolution, and to concur with him in all the affirmations which it contains. But, Sir, I cannot but consider also, not only my own convictions and opinions, but the opinions of others who are desired to concur in the proceedings of this House. Now, Sir, there is a large party in this House who have entertained opposite opinions. That party have —honourably I think—yielded their personal and original convictions to their sense of what is the opinion of the country and of this House. I am far from joining in taunts and reproaches upon those who so yield their early impressions to the irresistible force of events. Why, Sir, in a free country like this, there could be no more dangerous doctrine to establish than this—that it is disgraceful to men to yield their convictions to the force of counteracting events and circumstances. If every man in this country were to be chained for ever to the opinions which he entertained in the earliest part of his career, there could be no progress or improvement in the land. We meet here from day to day for no other purpose than to convince each other; and every man who endeavours to persuade people to come round to his opinions, debars himself, I think, in justice from the right of reproaching them when he has succeeded. Then I say that I think that, so far from casting reproaches upon that large party in this House and in the country who have surrendered their original impressions to the convictions which an overwhelming course of events has produced, we should consider that course as honourable to them as it is beneficial to the country. And the Resolution proposed by Her Majesty's Government does in my opinion contain the fullest acknowledgment of the benefits which the present system of commercial legislation has produced, and does pledge every man who votes for it to contribute to render that system henceforward permanent. And I am wholly at a loss to understand how it is possible for any person to conceive that a man who votes for that Resolution can afterwards shelter himself under any ambiguity in its language to back out of an opinion to which I think that Resolution irrevocably pledges him. Now, with regard to the present and to the future, I really see little difference in substance and effect between the Resolution of my hon. and learned Friend, and the Resolution proposed by Her Majesty's Government. If anything, the Government Resolution is in some respects stronger—in form, I mean—than that of my hon. and learned Friend, because it concludes with an expression of the opinion of the House as to what it is the duty of Her Majesty's Government to do—a rather unusual thing, I think. I certainly, for my own part, should prefer the form adopted by my hon. and learned Friend, in stating the readiness of the House to consider any measures which might be proposed in conformity with the policy which this House affirms ought to be established. But I must own that there is a passage in the Resolution of my hon. and learned Friend which I regret to see there, and which does appear to me to be fairly considered by Gentlemen opposite as a bar to their acceptance of that Resolution. Now, Sir, all that the country asks of Parliament—all that the country cares about, in my opinion, is, what Parliament means to do in this matter—what is to be the principle upon which the legislation of the country is to be founded. I do not think that the country cares, and I do not think that it has much right to care, what may be the private opinions of Gentlemen as to that policy. I think it is rather following the example of tribunals whose conduct we are not much in the habit of approving; it is somewhat like the practice of the Inquisition to compel people to come before you; and, not content with declaring that their conduct will be in conformity with your views and intentions, to force them to go down on their knees and recant their opinions, or to profess opinions which you choose to impose upon them. Sir, we are here an assembly of Gentlemen—and we who are Gentlemen on this side of the House should remember that we are dealing with Gentlemen on the other side; and I, for one, cannot at all reconcile it to my feelings to call upon a set of English Gentlemen unnecessarily, for any purpose that I have in view, to express opinions they do not entertain, or to recant opinions which may be still lingering in their minds. I will grant, if you like, that they still think that the measures of free trade were not just; wise, I think, they can hardly refuse to acknowledge them, when they say that those measures have mainly contributed to produce the improved condition of the country generally, and of the industrious classes especially; for it is hard, I think, to say that measures which have had such an effect have not been in their nature wise. I myself am of opinion, that when the party who still call themselves by the antiquated name of Protectionists come to consider calmly, and free from the irritation of former disputes, the free-trade measures and their results, they will come round to our opinions on the point of justice as well as on that of expediency. But it is, in my opinion, unnecessary, and is nothing to the purpose, to know what they think as to the original justice or injustice of this policy. I should, therefore, Sir, very much wish that some middle course could be suggested, and that some Resolution might be proposed, which, on the one hand asserting in the broadest manner the determination of this House to further and continue the policy which we approve of, should, on the other hand, be free from those expressions which prevent the Resolution of my hon. and learned Friend from being unanimously adopted. I must say, Sir, that part of what has passed in this evening's debate, seems to have been somewhat full of practical inconsistencies. The hon. Member for Manchester (Mr. Bright), while urging the Government, and those who sit behind them, to adopt the Resolution of my hon. and learned Friend, has done his best to render it impossible for them to do so. The hon Gentleman wants, he says, to have the authority of a vote of this House go forth, not only over the length and breadth of the land, but across the Atlantic ocean to America, in order to convince, at this critical moment, not only the people of England, but the people of the United States, that the free-trade policy is built upon a rock, never to be shaken, and that nothing can ever change the course of our legislation upon that point. But at the same time the hon. Gentleman, by a very amusing catalogue of quoted speeches, and by the general tenor of his taunts about changes of opinion, appears to me to have done all that he could to reduce the majority—if the majority is to be in favour of the Resolution of my hon. and learned Friend —to the smallest possible amount. Now, I would beg my hon. Friend, if he would allow me to call him so, to consider the consequences of turning into a party movement—into an ordinary party struggle—that which I think should be purely a Motion tending to elicit from this House a solemn affirmation of a great principle of domestic policy. Now, when I say "the consequences," I do not allude to those contingent results which were indicated by the Chancellor of the Exchequer, and which have also, I think, been pretty well adverted to by those who have spoken upon this side of the House. I speak not of the result of this debate with regard to the stability of the present Cabinet; I treat the matter upon other and different grounds. Suppose that the Motion of my hon. and learned Friend is that which is first brought under the consideration of this House. Well, that Resolution will either be carried or it will be rejected. But I think it is plain enough to be seen from the tone and temper of the House, that whether it be carried or whether it be rejected, it will be carried or rejected by a very small and narrow majority. Now, I will first suppose that it will be rejected —not at all an impossible supposition. [*Laughter.*] I say that is not at all an impossible supposition; because I think I am not mistaken in believing that there are many Members of this House, not only many of those younger greenhorns who have been appealed to by the speakers on both sides, but many of the more experienced old stagers of Parliament—I believe, I say, that there are some, if not many, who would be disinclined to convert this Motion into an opportunity for overturning the Government; and I confess I am one of those holding that opinion. I think that this is a separate question altogether, and ought to be kept separate from any considerations of confidence or want of confidence in the Administration. I think that it is, I may say, profaning a great principle of domestic policy to convert it into a mere engine of temporary party warfare. But supposing it were to happen that the hon. and learned Gentleman's Motion were to be rejected— what, I would ask, would be the impression which would go forth over the length and breadth of the land, and over the Atlantic to the United States? Why, the impression would naturally be, that the free-trade party was in a minority in this House of Commons—that the verdict of the country, as expressed by the House of Commons, was against free trade; and if anybody doubted whether the fact was so or not, they would appeal to the speech of my hon. Friend the Member for Manchester, who roundly declares that all who vote for the Amendment must be Protectionists at heart; and consequently it would be inferred that those who rejected the Motion of my hon. and learned Friend must be still Protectionists, and then people must say, "You have got a Protectionist House of Commons, and how can we possibly rely upon the permanence of a system which is at variance with the settled convictions and declared opinions of the majority of the House of Commons?" That would certainly be a great calamity, and is a thing to be avoided, as one which would be very mischievous in its effects. But suppose the Resolution to be carried by a majority, say of ten, twenty, or thirty. I will ask any really sincere free-trader whether he can think that that would be a satisfactory result? Can it be a satisfactory result, compared with a vote unanimously given, as it might be, I should hope, by the whole House of Commons, affirming the principle of free trade as the permanent foundation of the commercial policy of this country? Now, it is very natural that Gentlemen who have spent many years in praiseworthy endeavours to carry a particular question—who have been thwarted by those whom they thought actuated by prejudice or by interest—and who at last have carried their point and enjoyed their triumph—it is not unnatural, I say, that they should wish to carry their victory to the utmost possible extremity, and to trample upon their defeated antagonists. But I think on an occasion like this, when the great interests of the country are the subject of discussion, and when the decision of Parliament may have, on the one hand, a most advantageous result to the cause of which so many persons are so honourably the champions, and when, on the other hand, evil consequences might be produced to the interests which they wish to support generally, I think we might, all of us, cast aside the feelings arising from the contest which is over, that we might accept the hand which is tendered by those with whom we have hitherto been fighting, and that we ought not to be too nice in requiring or compelling them to state what is the degree of conviction that has been wrought on their minds. If they consent to act with us, I think we ought to be satisfied with that; and I think it is ungenerous on the part of the majority—if majority there be—to endeavour to compel the minority to subscribe to opinions of which they may not entirely approve. Such a course, in preventing unanimity—or almost unanimity—for in fact I should prefer to have just two or three voting against the proposition, for the look of the thing, and for the sake of greater contrast—such a course would be, in my opinion, not only ungenerous, but it must fail of its purpose, and we only deprive ourselves of the authority which a unanimous vote would give to this House. I say I think it is not only ungenerous to ask Gentlemen to express opinions which they do not conscientiously entertain, but I think it is impolitic and unwise, as well as unjust—that we are defeating our own purpose, and depriving ourselves of the principles of a policy which we think essential to the interests of our country—we are depriving those principles of a great amount of support which is now tendered to us, and which only rests with us to accept. Now, we have been discussing two propositions. I do not presume to lay a third proposition on the table; but at the same time, I will just read that form of words which, if they were encouraged by any manifestation of opinion on the part of any great body of the Gentlemen in the House, I should be ready to tender for your acceptance. The form of words I think required is one which, on the one hand, affirms the doctrine of free trade and its permanent establishment; while on the other hand, it is not liable to the objection of requiring those who may agree to it to recant opinions which they may have honestly at a former period have entertained. What I propose will appear, I fear, almost a plagiarism upon my hon. and learned Friend, the terms are so near alike. The Resolution I would propose would run thus:—

> "That it is the opinion of this House that the improved condition of the country, and especially of the industrious classes, is mainly the result of recent legislation, which has established the principle of unrestricted competition, and abolished taxes imposed for purposes of protection, and has thereby diminished the cost and increased the abundance of the principal articles of food to the people."

Nobody can object to that.

> "That it is the opinion of this House, that that policy, firmly maintained and prudently extended, will best enable the industry of the country to bear its burdens, and will thereby most surely promote the welfare and contentment of the people.
>
> "That this House will be ready to take into consideration any measures consistent with those principles which, in pursuance of Her Majesty's gracious Speech and recommendation, may be laid before it."

Well, now, I really would submit that these words contain everything which my hon. and learned Friend has proposed in regard to the future, while they contain nothing which any hon. Member who has yielded his opinions to the inevitable force of events might not with perfect honour to himself subscribe to and support. But, now I shall be told that this form of words, by omitting the word "just," opens a door for the question of compensation; and that I take to be the real point. But now I say the insertion of the word "just" does not shut the door at all to the question of compensation. It will be equally competent to the right hon. Gentleman the

Chancellor of the Exchequer, or any other Member, when we come to consider the financial arrangements for the year, to propose changes of taxation for the purpose of giving what they may call "relief," or what others may call "compensation" to the agricultural classes, with the word "just" there as if it were not there; and I hold we should not stand in any degree the worse—we who may be disposed to resist that proposal—because the word "just" was not in the Resolution, though we should if the word "just" were inserted. I think there is nothing so undesirable as mixing up together questions which are not connected, but essentially different. I hold that these two questions are quite distinct—the one question, whether the commercial policy shall be maintained, and the other whether, in consequence of that policy, any particular class of men have a claim for what they may call compensation or relief. You may affirm the maintenance of the principle of free trade, and you may with that maintenance entertain one or the other of the two opinions in regard to compensation. It is perfectly competent for any man to think that the principle of unrestricted competition ought to be maintained, and that its maintenance entitles no man to compensation; or he may entertain the opinion that it has inflicted hardship on certain classes, and that those classes have an equitable claim to consideration. My own opinion is, that the compensation to the agricultural classes is to be found in those circumstances which were so well adverted to by the hon. Gentleman the Member for Manchester—in the improved condition of the country, in the cheapness of everything which they have to buy out of what I must admit in many cases must have been their diminished rents, in the contentment of the people, in the cordiality of feeling which has been established between the upper and the lower classes—in the love and affection of all around them, and in the absence of all that invidious jealousy which, before, the lower classes were naturally led to feel towards their superiors, from a belief that the laws were calculated to put money into the pockets of the landlords at the expense of the great mass of the consumers in the country. I say that that is the compensation which I think the landed interest are entitled to; and that is the compensation which they have already obtained. This is my opinion. I do not quarrel with any man for entertaining a different notion. But when these questions come before us, let them come distinctly, and we shall not be the less able to negative any proposal which we may disapprove of, because we have united in voting and affirming the establishment of free trade. Now, what is the calculation of those who insist on the insertion of those words? I suspect they hope to be in a majority. If they are in a majority to-night in affirming the insertion of the word "just," cannot they make the same muster on any future day, when any proposal is brought forward the effect of which will be to give that compensation which they think ought not to be afforded? Those who wish to shut the door against the principle of compensation would be just as able—and I say, better able—to shut that door when the proposal comes, than they would be to-night, by an indirect expression, a side-wind, to shut out a claim we do not distinctly negative, and which is not distinctly brought under the consideration of Parliament. I have only to say I deplore the condition in which I think the House is about to find itself. I do not think it is to the credit of Parliament, when a great question of domestic policy has been put to the country, and when the House is called on to make an answer to that question, that we should turn it at once into a mere party struggle; that those who get up on one side should say they mean it as a censure on the Government, when they only mean it as an affirmation of a principle; and that a Resolution should be so worded, as it were studiously, to prevent a large portion of the House, who would be disposed to agree in the affirmation of that principle, from concurring in the Resolution. It is evident, Sir, this debate cannot end to-night; and I can only hope that hon. Gentlemen will well consider this matter between this and the time when the debate shall be resumed, and that a spirit of conciliation may be found to animate both sides of the House. If, on the one hand, those who sit opposite would be disposed to take such an Amendment as I have ventured to suggest; on the other hand, my hon. Friends who sit on this side might be contented with something like what they have proposed, free from those expressions which hurt the feelings of hon. Members opposite; and the result would be that we should all unite in what would then be an overwhelming affirmation of a great principle of domestic policy—an affirmation which would not only be satisfactory to nine hundred and ninety-nine men out of every thousand in the country, but which would be of the utmost importance to our relations with every foreign country in the world.

Debate *adjourned* till *Thursday*.

House adjourned at a quarter after Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, November 24, 1852.

MINUTES.] PUBLIC BILL.—2° County Elections Polls.

COUNTY ELECTIONS POLLS BILL.

Order for Second Reading read.

LORD ROBERT GROSVENOR said, he now begged to move the Second Reading of this Bill; Motion made and Question proposed, " That the Bill be now read a Second Time."

MR. BECKETT DENISON said, he should be disposed to support the second reading of this Bill, because he was decidedly in favour of polls at County Elections being restricted to one day. He thought such polls could be taken in one day without any inconvenience. But the Bill went much farther than that, and he thought the House ought to be exceedingly cautious, lest in endeavouring to promote despatch, it did not commit a much greater evil than the one sought to be remedied. The Bill proposed that the poll should take place on the day after the day of nomination. He thought that would be too early a period for the poll to begin after the day of nomination. In the West Riding of Yorkshire, which he represented, more than once, under the existing system, had the candidates been taken by surprise on the eve of an election by the appearance of a new candidate, and once they were forced to be specially on their guard against a similar surprise. If, therefore, the poll took place so soon after the nomination as this Bill proposed, candidates would have more than ever to be prepared for a contest, and they might expend in that way nearly as large a sum as that which would be incident to a contested election. In 1847, when Lord Morpeth and himself were candidates for the West Riding, they heard no rumour of a third candidate coming forward until their arrival at Wakefield on the evening before the nomination day. Neither of them was, therefore, prepared for a contest; and feeling the very great responsibility of throwing so large a constituency into the confusion of a contest, he (Mr. B. Denison) himself thought it prudent to retire from the contest. His present Colleague (Mr. Cobden) was not in Yorkshire on that occasion, being abroad; but if he had been present, he (Mr. B. Denison) believed he would not have allowed himself to be put in nomination. Lord Morpeth and himself had no reasonable notice of the intention to nominate his present Colleague (Mr. Cobden) at that election; and it was solely to prevent the expense of going to the poll that he (Mr. B. Denison) was induced to retire from the contest. With respect again to the election which took place in the summer of the present year, although it was generally rumoured that his Colleague and himself would be elected, they were neither of them very confident that another candidate would not be put up at the eleventh hour to oppose them; and certain arrangements were made and expenses incurred throughout the riding in anticipation of any surprise. Now, he was thoroughly convinced that if only one day was to elapse between the day of nomination and the day of poll, candidates would be driven to make all the preparations for a contest, and much unnecessary expense would be incurred throughout the Kingdom. Previous to the Reform Bill, it was the practice for county meetings to be held at which Gentlemen were named as candidates, and thus it was known before the election came on, who were the parties soliciting the suffrages of the electors. This prevented any surprise—the candidates had plenty of time to canvass the constituency, and the matter consequently proceeded more satisfactorily than it would do under the proposed alteration. He would suggest, as preferable to the proposition in the Bill, that the poll in counties should take place on the day week after the nomination of the candidates; the result of which would be, that none of the candidates would think of going to any expense until they were all fairly in the field. He owned he felt a good deal on this subject, because he represented the largest constituency in the Kingdom, and that constituency could not be moved for a contest without almost incredible expense. For those reasons, he should certainly vote against that clause of the Bill when it came before the Committee. He wished to touch upon another question. He thought the taking of the poll might be accomplished much more satisfactorily and cheaply than at present; and the suggestion he would throw out was, that after the candidates for an election were named, the sheriff for the county or division of a county should send out printed lists to every voter, whose name and residence he must know, and those should be returned within a week, giving the names of those for whom he wished to vote, and signed by the voter. He thought this mode of taking the votes would have a very salutary effect. Everything would be done in a quiet and tranquil manner, and the electors would not be subjected to the annoyance of leaving their homes. He did not mean to propose that now, as it was an alteration in the mode of taking the votes at elections, but he threw out the suggestion for consideration.

Mr. ROBERT PALMER said, he had given this subject some consideration, and he could not help saying that the more he considered it the less expedient he thought it was to alter the present system of taking the polls in counties. His decided impression was, that the effect of limiting the poll to one day would be to subject the persons who had to give their votes to great personal inconvenience. He confessed he was much struck to find the representative of so large a constituency as the West Riding of Yorkshire in favour of a proposition for limiting the poll to one day. He (Mr. Palmer) had no doubt that the poll might be taken in one day, if there was a considerable increase of the arrangements for accomplishing that end. But then came the question of expense. His strong belief, however, was, that if they were to increase the polling places to a very considerable extent, the result would be, that so far from diminishing the expense by limiting the poll to one day, they would increase it. They would require additional deputy-sheriffs, additional clerks, and additional arrangements of every kind. The great body of voters in counties were agriculturists, and it was a matter of considerable importance to them that they should be allowed two days in which to record their votes at their polling places, some of which were at great distances from their residences, rather than one. For example, it would be very inconvenient if the single day on which they were at liberty to give their votes happened on any great fair or market at which their business compelled them to be present. It was necessary, too, that the voters should be secured from surprise. In his own county, at the last election, they were taken by surprise on the day of nomination. He was satisfied that that part of the Bill which limited the time between the nomination and the polling to one day would be impracticable. Some of the polling places were thirty or forty miles from the town where the nomination took place, and much inconvenience would also be caused by the sheriff being bound to have all his men ready within twenty-four hours of the time when he announced the poll to take place. He was putting this question simply as one of expediency and convenience, for there was no principle involved in the measure. At his own election recently, several of his constituents intimated to him how glad they were that the Bill of the noble Lord (Lord R. Grosvenor) did not pass in the last Session of Parliament, seeing the inconvenience it would have occasioned them. Besides, supposing the poll was limited to one day in counties, he thought it would be a matter of the greatest difficulty, if, indeed, it would not be altogether impossible, to procure conveyances in a large county to take the voters to the poll. That was a material point, though he admitted it might be managed in the metropolitan county. But, in his opinion, the proposition of the noble Lord was inexpedient. The time for taking the poll in counties was short enough already. He would move, in the meantime, that the Bill be read a second time that day six months, though, if he found the sense of the House against him, he would not press it to a division.

Amendment proposed, "To leave out the word 'now,' and at the end of the Question to add the words 'upon this day six months.'"

Question proposed, "That the word 'now' stand part of the Question."

Lord HARRY VANE said, he must confess he entertained very considerable doubts as to the expediency of this Bill, but he was not prepared at once to vote against the second reading in the mode proposed by the hon. Member for Berkshire (Mr. Palmer). There was, however, a part of the Bill to which he (Lord H. Vane) entertained a very decided objection, namely, the interposition of only one day between the nomination and the polling day; and if his noble Friend (Lord R. Grosvenor) should be inclined to persevere with that part of the Bill, he would feel it his duty to oppose it on its third reading. This was only a question of expense; there was no principle whatever involved in it. Every one, he thought, would admit that it was desirable to diminish the expenses at County Election contests, but it was equally desirable to prevent confusion; and it was equally necessary that the opinions of the constituencies should be fairly taken, and that there should be ample time given to enable candidates to canvass the voters. With respect to the limitation of the poll to one day in counties, he thought the poll might be taken in that short space of time in the metropolitan county, and in counties adjacent to the metropolis; but in other counties, where there was a scattered constituency, consisting of every description of voters, it would be found to be a matter of great practical difficulty to procure conveyances sufficient to take them to the poll, and that the price of such conveyances would be very materially enhanced on such occasions. He confessed he did not think it advisable to adopt the suggestions thrown out by the hon. Member for the West Riding (Mr. B. Denison), that a week should elapse between the nomination and the polling days. He did not see any necessity for the interposition of so long a period. Indeed, he thought the present time was sufficient to elapse between the nomination and the poll, for all the necessary purposes of the election. He was prepared to vote for the second reading of the Bill, but on the express understanding that he should oppose the third reading if the proposition interposing only a single day between the nomination and the poll was not withdrawn.

MR. WALPOLE: Sir, I quite agree with the observation which fell from my hon. Friend the Member for Berkshire (Mr. Palmer), that there is no actual principle involved in the Bill as proposed by the noble Lord (Lord R. Grosvenor), and that the question to be considered is a question of convenience, expediency, and expense. Now, there are two propositions contained in this Bill: the first is, that the days of polling in counties shall be reduced from two to one; and the second is, that the day of polling shall immediately follow the day of nomination, without allowing an interval, as now, between them. [Lord R. GROSVENOR: An interval of one day.] Very well, an interval of one day. Now, upon the question whether the polling in counties shall be reduced from two days to one, as in the boroughs, provided you can do it conveniently, and with as little expense as is now incurred, I think there would be great convenience attending such a proposal. If, therefore, I can see my way to such an alteration being made with reference to polling in the counties, I should be prepared to support this Bill; and I am prepared to support the second reading of it for the purpose of seeing in the Committee how that can be expediently, conveniently, and advantageously carried out. But let me call the attention of the noble Lord to what I called his attention to in the last Session of Parliament, that I think he does not provide sufficiently by this Bill for a proper number of polling places being ensured in the different counties, so as to admit of every voter recording his vote at County Elections. How did the Legislature proceed on this subject when the Reform Bill was introduced? By the Reform Bill it was provided that there should be a convenient number of polling places; and in the Schedules to 2 & 3 *Will.* IV., c. 64, the different polling places were specified in the different counties. But, the noble Lord purposes, without providing different polling places in the different counties, that the days of polling shall be reduced from two to one. Everything turns upon the question, whether there will be a sufficient number of polling places for all the voters that come up to record their votes. As the Bill now stands, you are leaving that question open and undetermined, and only to be determined upon an application made by the Justices of Peace to the Government, upon whose recommendation the Queen in Council shall have the power of fixing more polling places than are now fixed in the different counties. Now, I think, before Parliament assents to that, they ought to see that the polling places in the different counties are specified in a Schedule to the Bill which you are about to introduce, so that the righs of the voters in this respect should not depend on the mere requisition by the justices or the magistrates of the counties, but should be prescribed in such a way as to convince the House that every voter would have the power of recording his vote. Now, as to the other point, whether there should be an interval of one or two days between the day of nomination and the day of polling, I feel very strongly upon it. I think one day is not a sufficient interval, for supposing a contest arises at the last moment, there will not be a sufficient opportunity for all the voters in large counties to know who the candidates are, and for whom they ought to record their votes. I have a strong objection to that part of the Bill; and I cannot but express my surprise that the hon. Member for the West Riding (Mr. B. Denison) should have put his name to this Bill, containing, as it does, that very proposition to which he now objects. I mention this, because I think it expedient, when Gentlemen put their names to the backs of Bills brought into this House, that we should think they have received the consideration of those Members whose names are appended to them. It is not my intention, however, to oppose the second reading of the Bill, for, I assent to it with pleasure, because I think it will be convenient, if you can do it with as little expense as possible, that the number of polling days should be the same as in boroughs, namely, one. But that part of the Bill providing for polling places, and that part which reduces the interval from two days to one between the day of nomination and the day of election, I own I think ought not to pass into a law, because I think wrong would be done to the different constituencies unless they had proper facilities for recording their votes.

Mr. ALCOCK said, he could not understand what objections the hon. Member for Berkshire (Mr. Palmer) could have to this Bill. Did the experience of the hon. Member in that county to which he had adverted, refer to the ousting from the representation of Mr. Pusey, a man who more thoroughly understood the whole question of the agricultural interest than perhaps any Member in that House. He was surprised to think that the hon. Member for Berkshire could not think it possible to do in one day in that county with only 5,000 electors what 20,000 electors had done in one day in the city of London. Besides, as a matter of time, there were now more facilities for taking the poll effectually in counties in one day, than there were in two days in 1832—at the passing of the Reform Bill. At that time they had solely to rely on conveying the voters to the poll by horse power; but now they could everywhere take advantage of the facilities for locomotion by railways. At present a nomination for a county might take place on a Wednesday, and the elections would not be until the following Monday, because if the polling commenced on the Saturday they would have the Sunday intervening. He would ask if that was a proper or reasonable state of things? When the Reform Bill passed, two days for taking the poll were allowed for cities and boroughs as well as for counties, but it was afterwards found expedient to alter that arrangement with respect to cities and boroughs; and the Act repealing that part of the Reform Bill contained these words in its preamble: "Whereas it would tend to promote the purity of election and diminution of expense, if the poll were taken in one day." Was it the object of the hon. Member for Berkshire and other hon. Members who opposed the Bill to perpetuate the expense of elections, and so, by the power of wealth, prevent the electors having an unrestricted choice of candidates? If the object of hon. Gentlemen was to diminish expense and promote the purity of election, they ought immediately to reduce the number of polling days to one. With respect to the other proposition, for shortening the interval between the nomination and polling day, it might not perhaps be desirable to adopt that provision.

Mr. SPOONER said, there was no ground whatever for the imputations on the part of the hon. Member for East Surrey (Mr. Alcock), that those who opposed the Bill did so with the view of giving power to the wealthy, and of preventing the poorer classes of persons coming up to the elections. The noble Lord who proposed the Bill, said he did so only to save expense. He (Mr. Spooner) opposed the Bill, because, instead of diminishing the expenses of elections, he thought it would greatly increase them. In the county which he represented (Warwickshire), many of the voters lived at great distances from their polling places; and he was sure it would be impossible, in the event of a contested election, to give to every freeholder in that county the means of exercising his franchise in one day. He hoped his hon. Friend the Member for Berkshire would press his Amendment to a division, and if he did so, he (Mr. Spooner) would most undoubtedly vote with him.

Sir GEORGE PECHELL hoped the hon. Member for Berkshire would not take the advice given him by the hon. Member who last addressed the House, and who came before them on that occasion with the old Tory story of the Reform Bill. The principal objection of the hon. Member who last addressed the House appeared to be whether sufficient time would be allowed, under the Bill, for all the electors to give their votes. He believed there was no foundation for such an objection.

Mr. MONSELL said, he thought that great as might be the benefit of the Bill to England, it would be of far greater importance and benefit in Ireland. He believed that a great number of the scenes which they all deplored, and which had taken place in Ireland during the late elections, would be prevented by the passing of such a measure. The system of "housing" now carried on at elections in Ireland was mainly owing to the two days which were occupied by County Elections. He would suggest that the right hon. the Secretary of State for the Home Department should consider the propriety of introducing a clause, if the Bill were extended to Ireland, for abridging the oaths required to be taken by electors, as it frequently happened that in contested elections the persons employed by the sheriffs to administer the oaths read them over extremely slowly or very rapidly, as they conceived might best promote the interests of their favourite candidates, by allowing a larger or smaller number of electors to record their votes in a given time.

Mr. SCOTT said, he hoped that the Bill would not be extended either to Ireland or Scotland until some experience had been attained of its working in England. He conceived that in many instances considerable hardship would result from limiting the time of County Elections to one day. Hon. Gentlemen who supported the Bill seemed to forget the convenience of those electors who lived at a distance from the polling places. One of the first contested elections he had been engaged in for the county of Roxburgh took place in the depth of winter, when the roads were almost impassable; the friends of his opponent resided chiefly in the towns, whilst his (Mr. Scott's) friends resided in the country districts. If in that case the polling had been confined to one day, there could be no doubt that great hardship and injustice would have been inflicted. As to intimidation at elections, he believed that the effect of the Bill would be merely to concentrate the efforts of parties to intimidate and coerce the electors more than at present.

Lord MONCK said, he must protest against England being made the ground for an experiment of this nature, and he contended that the Bill ought to be applied equally to Ireland and Scotland. He advocated the limitation of polling to one day, as having a tendency to stop intimidation in Ireland. With regard to the provision shortening the interval between the nomination and polling day, that was a question that could, if it gave rise to objections, be settled in Committee.

Mr. W. BROWN said, that no more difficulty would arise from confining the election to one day, than from allowing it to extend as at present, to two days, inasmuch as the voters could come up the day before the day of polling if necessary.

Mr. ELLIOT said, that, so far as he could ascertain the opinions of the electors of that part of Scotland with which he was connected, there was a strong desire on their part to have the polling limited to one day; and he would give notice of his intention, at a future stage, to move that the Bill should be extended to Scotland.

Mr. LOCKE KING said, he was of opinion that the Bill did not go far enough. One important point was omitted, which was that of reducing the time between the proclamation and the day of election, and he should move in Committee the insertion of a clause to that effect. He supported the Motion for the second reading.

Sir JOHN BULLER said, he trusted that, as the feeling of the great majority appeared to be in favour of the second reading of the Bill, the hon. Member for Berkshire would withdraw his opposition to that Motion. In considering the Bill the Committee ought not to overlook the case of those counties which had not the advantage of great railway communication; and, on the other hand, should not increase expense by giving too large a power for the addition of polling places. With respect to purity of election, he could not anticipate that this Bill would tend very much to that effect. He was happy to say, as regarded English counties, very few complaints of bribery and corruption were ever substantiated, and he believed that there was no probability of the return for any county in England during the last election being disputed.

Mr. ROBERT PALMER said, in accordance with the wishes of the House he would withdraw his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read 2°.

Motion made, and Question proposed, "That the Bill be committed."

Mr. VANSITTART said, he begged to move as an Amendment that the Bill, together with that of which the hon. Baronet the Member for the Tower Hamlets (Sir W. Clay) had given notice, should be referred to a Select Committee, in order to ascertain whether any alteration might not be effected in the mode of taking the poll, as well as limiting the time of polling.

Amendment proposed, at the end of the Question to add the words "to a Select Committee."

Question proposed, "That those words be there added."

Mr. WALPOLE said, he concurred in the suggestion of referring the Bill to a Select Committee, with a view of ascertaining particularly the position of the various counties with respect to the facilities for the conveyance of electors, and for taking the poll at elections. The Government would state, before Wednesday next, the course which it would be prepared to adopt with respect to the Bill in Committee.

A short discussion then ensued, in which Mr. Spooner, Mr. B. Denison, Mr. Walpole, and Mr. Alcock, took part, when Mr. Vansittart said, he would not press his Amendment.

Amendment, by leave, *withdrawn.*

Bill *committed* for *Wednesday* next.

House adjourned at a quarter before Three o'clock.

HOUSE OF LORDS,

Thursday, November 25, 1852.

Minutes.] *Took the Oaths.*—Several Lords.
Public Bill.—1ª Metropolitan Building Act Further Amendment.

The House met; and having gone through the business on the paper,

House adjourned till To-morrow.

HOUSE OF COMMONS,

Thursday, November 25, 1852.

Minutes.] Public Bill.—1° Tenant Right (Ireland).

COMMERCIAL LEGISLATION — FREE TRADE—EXPLANATIONS.

Sir WILLIAM CLAY: Sir, I rise for the purpose of asking, first, of my hon. Friend the Member for Wolverhampton (Mr. C. Villiers), and in the next place of the right hon. Gentleman the Chancellor of the Exchequer, questions which, not in my own estimation only, but I believe also in the estimation of many other hon. Members, have an important bearing on the proceedings of this House. In so doing I am happy to say that I shall not have occasion, or at least in the very slightest degree, to claim that indulgence which the House ordinarily extends to Members who have questions publicly to ask, namely, the permission to make such previous statement as may render such questions intelligible. ["Order, order!"] I shall not, I repeat, have occasion to avail myself of that—

Mr. COBDEN: Sir, I rise to order. I think it will be admitted on both sides of the House that it will be exceedingly inconvenient that a question should be put, accompanied by a speech, unless it is under circumstances which would admit of a reply. The hon. Gentleman, I submit, would, therefore, better promote the object he has in view if he wishes to make a statement by letting it be understood that he will finish with a Motion.

Sir WILLIAM CLAY: Sir, I have no intention to make any speech, but it is important that I should put the question, because I think it will have an important bearing on our proceedings here to-night. With these simple words of preface then, as my hon. Friend the Member for the West Riding will not permit me the smallest indulgence in that respect, I ask, first, of the right hon. Gentleman the Chancellor of the Exchequer, because I believe, in so doing, it will be more in accordance with the usage of this House in similar cases, whether he will be willing to withdraw that Amendment which he has put into your hand on the Motion of my hon. Friend the Member for Wolverhampton, on the understanding that if it be withdrawn the House will acquiesce in the Resolution proposed by the noble Lord the Member for Tiverton (Viscount Palmerston)? I ask of my hon. Friend the Member for Wolverhampton whether, on a like understanding, he will be prepared to withdraw his Motion? And again I ask as a second question of the right hon. Gentleman the Chancellor of the Exchequer, whether, in the event of the hon. Member for Wolverhampton refusing to withdraw his Motion, he (the Chancellor of the Exchequer) will accept the Resolution proposed by my noble Friend the Member for Tiverton as a substitute for his own Amendment?

Sir JAMES GRAHAM: My sense, Sir, of public duty will, I am sorry to say, compel me to make a speech, and to bring myself strictly within the rules of the House. I shall conclude with making a Motion. Sir, I beg in the first place to state, that in a new Parliament—having had long experience in this House—I am one of the last persons who would be disposed to strain the privileges of an individual Member to an undue extent, inconsistent with the transaction of public business; and I shall trust, after the statement which I have to make to the House, that they will be of opinion that this is an exceptional case, and that I am justified in the course I am about to pursue when I make a formal Motion "that this House do now adjourn." Having, Sir, placed myself strictly within the rules of the House, and having given to every Member of the House who may think proper to follow me the opportunity of stating his opinion with respect to the matter now pending, I think it right, after the question put by the hon. Baronet the Member for the Tower Hamlets (Sir Wm. Clay), and before Her Majesty's Government give an answer to the question he put, to make the statement which I am anxious, with the permission of the House, to address to them. The noble Viscount the Member for Tiverton (Viscount Palmerston), at the close of the discussion on Tuesday evening, tendered to the House, not in the form of a direct Motion, but rather in the shape of a suggestion, certain words in lieu both of the original Motion and of the Amendment, which he thought constituted a middle course, and one upon which, consistently with the honour of all parties, we might arrive at an agreement. Now, Sir, it is impossible that I, who am one of the surviving colleagues of the late Sir Robert Peel—who took a most active part in 1846 in pressing on the attention of Parliament the policy of a repeal of the Corn Laws—who had the good fortune, after the dissolution of that Government, to enjoy the confidential friendship of Sir Robert Peel to the last hour of his life—it is impossible I should not feel a deep and peculiar interest in the subject which stands for further discussion on the present occasion. And it is right, Sir, that I should state to the House the exact truth with respect to the part which I have taken, both with reference to the original Motion and with respect to certain words which the noble Lord has suggested as the medium of a possible agreement on both sides of the House. I hope the House will not regard it as presumption on my part if I state frankly all the concern I have had both in the framing of the original Motion, and in reference to the words in question. I did not arrive in London until late in the evening preceding Her Majesty's Speech from the Throne, and on the morning of that Speech, having to take my seat before two o'clock in the afternoon of that day, I had not an opportunity of conferring with any one, except my noble Friend the Earl of Aberdeen, one of my former colleagues, with whom happily I maintain the most cordial and sincere friendship. My noble Friend told me what were the terms of Her Majesty's Speech on the question of an unrestricted policy with respect to matters of trade. He told me, also, that he had, in concert with my former colleagues, considered those words, and that they had come to the conclusion that, upon the whole, it was not expedient to be a party to moving an Amendment on the Address on the occasion; and he added, that he had also had an intimation that the noble Lord the Member for the City of London (Lord John Russell) and his former colleagues had arrived at the same conclusion. Sir, I saw no other person until you took your seat in the chair on that day; but I think I met in the lobby of the House the hon. Member for Manchester (Mr. Bright), who addressed you with so much ability on Tuesday evening, and he informed me that although the opinion of himself and several of his friends had been decidedly in favour of moving an Amendment to the Address on that occasion, yet, to prevent disunion among the friends of free trade in this House, and in a new Parliament, that he had declared his readiness to abstain from moving an Amendment; but that as he, as well as myself and my former Colleagues, and the noble Lord the Member for London, were of opinion that the words of the Speech on the subject of free trade were unsatisfactory, it had been suggested that my hon. Friend the Member for Wolverhampton, on the part of the free-trade party generally, should give notice of a substantive Motion on that subject; and that it was thought on all hands that, considering the part he had taken in these discussions, that he had fought the battle manfully from the beginning, it was due to him, in the last hour of the success of that policy which he had so long and so earnestly advocated, that he should take a prominent part. I told my hon. Friend the Member for Manchester that I entirely agreed in that arrangement—that I was extremely glad there would not be an Amendment to the Address, and that I thought a substantive Motion was preferable, and particularly rejoiced in the selection of my hon. Friend the Member for Wolverhampton as the organ of the Free-trade party in this House on that occasion. So matters stood when I came into the House; and I certainly fully expected, considering that the terms of the Speech were somewhat ambiguous, that the right hon. Gentleman the Chancellor of the Exchequer, on the part of Her Majesty's Government, would avail himself of the ordinary opportunity, before the commencement of the discussion on the Address, to give notice for a particular day of his intention to introduce the promised measure on the part of the Government. You, Sir, are always most particular on that day, when the mover and seconder of the Address are present, that the discussion should commence at the appointed hour. That hour is half-past four. You waited until twenty minutes to five—longer than usual—in consequence of the absence of the Chancellor of the Exchequer; and when the right hon. Gentleman entered the House, my impression was—and I do not think I was singular in that impression—that he was about to give notice for a particular day on which the measures of the Government would be introduced. He did not do so. The noble Lord the Member for North Northumberland (Lord Lovaine) moved the Address in a speech of great ability; but still I could not fail to remember that he had displaced in the representation of the county of Northumberland one of the most distinguished Members of the Free-trade party—my right hon. Friend Sir George Grey—that he had effected that victory in Northumberland principally on the ground of advocating protection as against free trade, and I could not believe that if protection was to be abandoned, it was a Percy that was to perform that operation in this House. When the speech of the seconder of the Address was nearly concluded, my hon. Friend the Member for Wolverhampton, sitting immediately behind me, stretched forward and asked, "Shall I still give notice of my Motion?"—I did not know what others said—I said, "Certainly, give your notice." That notice was given in point of time before any declaration of the policy of the Government had been pronounced in either House of Parliament, and it was made in the absence of any day being appropriated by the Government for the introduction of those measures which had been promised. I listened with attention to the debate which followed; I weighed well the terms of Her Majesty's Speech; and on the following morning, in addition to the information which I had derived from the discussion here, and from hearing the announcement on the part of the Government, made by the Chancellor of the Exchequer, I had the advantage, through the ordinary channels, of reading what passed elsewhere, and of considering the statement made by the head of the Government. Having been a party to a notice given of a Motion, I frankly avow—considering the position to which I have alluded—that I took particular interest in reference to the mode in which that Motion should be framed; and on the morning of the 12th, having Her Majesty's Speech before me, and the speech to which I have alluded as having been made elsewhere, I endeavoured to frame the terms of that Motion. I shall state to the House without disguise what was the spirit in which I endeavoured to frame that Resolution. I remembered, as the noble Viscount the Member for Tiverton reminded us the other night, that this—whatever may be our differences of opinion—is an assembly of Gentlemen; and I was most anxious, in framing that Resolution, to insert nothing in it which I thought would wound the feelings of any of those who perhaps, without changing their opinions, were ready to change their course with reference to a specific policy about to be triumphant. And also I am bound to say I did not forget that I myself had been a convert from former opinions, and was the very last person in the House who ought not to have some regard for the feelings of others in such circumstances. Now, will the House bear with me whilst I state how I proceeded in framing that Resolution? I took the Speech of Her Majesty and the paragraph which refers to protection and free trade, and I took the speech also made elsewhere, to which I have referred, and I endeavoured to insert in the shape of a Resolution everything which I thought necessary for the distinct assertion of the principle for which those who were attached to the policy of free trade contended, and to omit everything in the Resolution to which those who were willing, under the circumstances, to depart from the policy of protection, and to adopt that of free trade, could reasonably object. That is the spirit in which I endeavoured to frame the Resolution. I have the original Resolution before me as so drawn, and with the permission of the House I will read it. The words are—

"That it is the opinion of this House that the improved condition of the country, and especially of the industrious classes, is in a great measure the result of recent legislation, which has abolished taxes imposed for the purpose of protection, which has thereby diminished the cost of the principal articles of food, and which has established unrestricted competition.

"It is the opinion of this House that, without inflicting injury on any important interest, this policy, firmly maintained and prudently extended, will best enable the industry of the country to bear its burdens, and will thereby most surely promote the welfare and contentment of the community."

These were the original Resolutions; I have already told the House that, though inadequate yet honestly, I do consider myself a representative of the policy to which I was a party, under the guidance of my late most distinguished Friend Sir Robert Peel; and I put to myself the question—if my right hon. Friend were still alive, in the present circumstances, with no sinister object in view—for he disregarded all sinister objects—what with reference to the good of the country and to the security of the policy he had at heart, and its firm maintenance on the surest ground—what, under the present circumstances, would be the line he would take? And I assure you, Sir, and this House, on my honour, that to the best of my judgment, with my intimate knowledge both of his feelings and his general course of proceeding, I believe he would have framed a better Resolution, but a Resolution in the spirit of the one which I have read. Now, I sent this Resolution to my noble Friend the Member for the City of London, with whom, I am happy to say, I have been in cordial and friendly communication. ["Hear!"] Now, that cheer convinces me that there is an undue and an erroneous suspicion that there is a factious party spirit at work; but I am about to show to you—I think conclusively—that you have been premature in coming to that conclusion. What was the answer of my noble Friend? He said to me—

"On the whole, I approve of your words; I have seen none which I prefer; but I think there is an objection to the Resolutions, as they stand without some safeguard. If carried adversely, the Government will be of opinion that they are intended to obstruct the course which they deem it their duty to take, and that it is not desired by the House to see the measures which they have announced as prepared."

And my noble Friend, so far from desiring to pursue a factious course towards the Government, recommended the insertion of the third clause, to which I will now call the attention of the House. It is in these words:—

"That this House will be ready to take into consideration any measures consistent with these principles which, in pursuance of Her Majesty's gracious Speech and recommendation, may be laid before it."

I thought that suggestion admirable; I thought it a great improvement; and it was in entire accordance with my desire that the Government should not be interrupted unduly in the presentation of their measures for the consideration of the House. Having obtained the opinion and sanction of my noble Friend, I then met my Lord Aberdeen and my Colleagues in the Government of the late Sir Robert Peel who had been officially responsible for the repeal of the corn laws. We discussed most carefully the words of the two Resolutions: they underwent some alterations, and the terms of some of them were changed. But in a matter of this kind, the entire truth ought to be stated to the House. I shall state exactly the result of those deliberations, and the changes which were effected in consequence of the interview which I had with my former Colleagues. I will now read how the Resolutions stood after that interview. The first Resolution was in these words:—

"It is the opinion of this House that the improved condition of the country, and especially of the industrious classes, is in a great measure the result of recent legislation, which has established the principle of unrestricted competition, has abolished taxes imposed for the purpose of protection, and has thereby diminished the cost of the principal articles of food."

Now, Sir, I must state to the House that in framing this Resolution, I had particular attention to the words of Her Majesty's Speech; and if the House will allow me, I will call their attention to those words. The part to which I am about to call the attention of the House states the matter hypothetically—

"If you should be of opinion that recent legislation, in contributing, with other causes, to this unhappy"—

[*Laughter.*] I beg pardon of the House——"this happy result has, at the same time, inflicted unavoidable injury on certain important interests, I recommend you dispassionately to consider how far it may be practicable equitably to mitigate their injury, and to enable the industry of the country to meet successfully that unrestricted competition to which Parliament in its wisdom has decided that it should be subjected."

Now, understanding distinctly from the various speeches made, both in this House and elsewhere, that if the policy of a countervailing duty on corn were abandoned, it was thought indispensable by the Government that compensation for alleged injury should then be sought by some other mode than by a countervailing duty, I thought that these words, which had been deliberately adopted by the Cabinet, and which Her Majesty under such advice had delivered from the Throne, studiously raised the presumption that such "injury" had been inflicted, and opened the door to the admission of compensation. Now, I will tell the House frankly, that in framing the second Resolution, I sought to traverse that presumption, and to assert—at least by implication—that there was no such injury, and that in reference to the future, the policy of free trade might be firmly maintained, and even prudently extended, without inflicting any injury upon any class —thereby shutting the door against compensation. Now, it is rather a nicety—but it is necessary that the whole truth should be stated. As I drew the Resolution at first, I had put these words :—

> "It is the opinion of this House that without inflicting injury upon any important interest, this policy, firmly maintained and prudently extended, will enable the industry of the country to bear its burdens."

Thus placed, the Resolution might be supposed to have a retrospective effect, as well as a prospective. I individually had the strongest opinion that there is no case which gives a retrospective claim to compensation; but still I am bound to say that some of my former Colleagues in the Government of the late Sir Robert Peel thought that that question would be more fairly left open—that the Resolution should be merely prospective in its effect, and not combine the retrospective and prospective assertion of the principle. It was thought better that these words just quoted should follow after the word "will," rather than precede it, thus giving it entirely a prospective, and removing altogether the retrospective character of the sentence. It was accordingly thus amended:—

> "It is the opinion of this House that this policy, firmly maintained and prudently extended, will, without inflicting injury upon any important interests, best enable the industry of the country to bear its burdens, and will thereby most surely promote the welfare and contentment of the people."

I was willing to adopt that suggestion, because I felt that whenever the question arose, and the Government thought fit to raise it with respect to compensation for the past, I should be enabled then to say, "this policy strictly maintained did not give rise to any just claim for compensation." I was content, therefore, to withdraw those words which might be supposed to have reference to the past, leaving only those which had a prospective effect. Subject to these observations, I adopted the Resolutions as I have read them to the House; and I placed them at the disposal of the noble Lord the Member for the City of London, in order that he might see whether it were possible to obtain a common consent to them. The Resolutions became the subject of discussion among the most distinguished Members who had been the consistent advocates of the repeal of the corn laws. It was deemed by them that the reference to the repeal of the corn laws should be more specific, and that it should be declared in express terms that that "Act was a wise, just, and beneficial measure." Now, Sir, considering the course which I have taken with respect to that repeal, if the question were put to me absolutely, Will you or can you dissent from the terms of that Resolution? I could not, as an honest man, say that I dissented from them. I certainly say that I should have infinitely preferred—perhaps from an overweening parental partiality—adherence to my own words; but when I found that they would not command general assent, I said at once, "If it be the opinion of a majority—a decided majority—of free-traders that there should be that special reference in these terms to the repeal of the corn laws, I cannot refuse my assent to that proposition." I heard no more of this until the Government—I think on the Friday following—presented the terms of their Amendment. I looked deliberately at that Amendment; and I must say that, weighing the difference of those terms, and considering the grave objections which I entertained to them—to which it would be inexpedient now to refer, but which, if the discussion should proceed, I hope by the kind indulgence of the House to be allowed to state—considering that I had to decide between the Amendment laid upon the table and the original Resolution as proposed by my hon. Friend the Member for Wolverhampton, I had no doubt that it would be my duty to support the original Motion. And I must add, that if the question of free trade is to turn upon words, I was more disposed to adopt the words of the consistent advocate of the repeal of the corn laws, in the person of my hon. Friend the Member for Wolverhampton, rather than take the words of the Government suggested by the Chancellor of the Exchequer. I heard no more of this until nearly the close of the debate on Tuesday evening, when the noble Viscount the Member for Tiverton, certainly without any previous concert with me, proposed the Amendment which is now upon the table of the House. The terms of this Amendment are conditional—in the event of either the original Resolution or Amendment being withdrawn, the noble Lord will move it. The House will recollect the words of the Resolution as agreed upon between the noble Lord the Member for the City of London and myself; and the House will now see how nearly the words in the Amendment of the noble Viscount are in conformity with them. The Amendment of the noble Viscount proceeds as follows:—

> "That it is the opinion of this House that the improved condition of the country, and especially of the industrious classes, is mainly the result of recent legislation, which has established the principle of unrestricted competition, has abolished taxes for the purpose of protection"—

Then comes a small alteration. In my Resolution the words were

> "—and has thereby diminished the cost of the principal articles of food."

In the Amendment of the noble Viscount there is an insertion which I think of importance. The words inserted are, "and increased the abundance." The sentence runs thus: "—and has thereby diminished the cost and increased the abundance of the principal articles of food." Now, Sir, the reason which has induced me, from a sense of duty, to rise before the right hon. Gentleman answers the question of the hon. Baronet the Member for the Tower Hamlets (Sir W. Clay) is a most important variation in the words tendered by the noble Viscount, as contrasted with the words to which the noble Lord the Member for the City of London and myself had given our previous consent. The noble Viscount says—

> "That it is the opinion of this House, that this policy, firmly maintained and prudently extended, will—"

I had inserted here the words

> —"without inflicting injury upon any important interest—"

These words have entirely disappeared, and the proposition now is, that, these words being omitted, the sentence shall run

> "—— best enable the industry of the country to bear its burdens, and will thereby most surely promote the welfare and contentment of the people"

I told the House distinctly that these words, "without inflicting injury on any important interest," with the Queen's Speech before me, were deliberately inserted by me, and adopted by my noble Friend and my Colleagues in the Government of the late Sir Robert Peel, prospectively for the purpose of barring the question of compensation for the future. I attach the greatest importance to those words; and whatever may be the feelings of others—before the Government gives the answer as to whether they will adopt or reject the proposal of the noble Viscount—I thought it but fair to tell Her Majesty's Government and the House the course I had taken, and that, so far as I am concerned, I could not be a party to a compromise of the question if these words are omitted. On the other hand, if there could be common consent to the insertion of these words—if the Government would assent to the reinsertion, I, for one—having no authority to speak for others, but still, for the sake of free trade itself, and for the sake of combining the largest possible support to a Resolution fixing great principles, upon the eve of the introduction of a measure by Her Majesty's Government having reference to those principles, and from an anxious desire that those principles should be sustained by the largest possible majority, if not by the common consent of the House—I would earnestly, sincerely, and, if it be necessary for me to say so, would honestly entreat my hon. Friend the Member for Wolverhampton in that case, with the consent of the House, to withdraw his original Motion, and to adopt the Amendment. I am ashamed of having trespassed upon the time of the House, but I thought it might consider my intrusion an exceptional case, in reference to this subject; but I can assure you that I was actuated by no motive whatever of a personal or a sinister kind. If it would not be considered as inconsistent with the honour of the Government, I believe that, with the concurrence of my friends on this side, we might arrive at a most reasonable settlement, and one satisfactory to the great majority of the House; so that to-morrow the Government, without any interruption or difficulty, might have the opportunity of introducing its measures. We then should have the opportunity of giving them the fairest and fullest consideration. For my part, I am ready to consider them, not in a hostile, but in a friendly spirit—since they are to be founded on the principles for which I am contending—and I shall fairly try any measure of compensation which might be proposed by the most rigid rules of equity and justice.

The Motion for the adjournment of the House having been seconded,

Lord LOVAINE said, that he should not now have intruded himself upon the attention of the House, after having so lately addressed it, had it not been for the personal allusion made to him by the right hon. Baronet the Member for Carlisle (Sir J. Graham). It was true that he (Lord Lovaine) did beat Sir George Grey at the last election for North Northumberland. It was true, also, that he beat that right hon. Gentleman by polling a larger number of votes than the right hon. Gentleman had polled at the previous election. It was true, likewise, that he beat the right hon. Gentleman after he had been tried five years as the representative of that county. But it was equally true that the contest was conducted in the fairest, most open, and most gentleman-like manner; and he believed Sir George Grey left the hustings, on that occasion, with the same good feeling that he (Lord Lovaine) had entertained when he himself was a beaten candidate at the election before. He was aware that with the gratification of the victory, he had likewise to incur the difficulty of maintaining this high position, but he certainly did not expect that, upon entering the House for the first time after a lapse of twenty years, he should be subjected thus early to a direct and personal attack. It was the more extraordinary when he reflected that amongst the many changes and chances of the political career of the right hon. Baronet's (Sir J. Graham's), he was only a few years ago in direct opposition to Sir George Grey. ["Question!"] He would speak to the question, and he would declare his conviction that the object of the debate was not the triumph of the principle of Free Trade, but it was merely the effort of a faction to procure the defect and discomfiture of the opposite party. He believed that the right hon. Baronet had stated that the house of Percy ought to be the last to abandon the cause of Protection. He supposed that it was owing to the changes already alluded to that the right hon. Baronet had forgotten that upon his side of the question, under the late Sir Robert Peel, stood the heads of the house of Percy. And why had he (Lord Lovaine) come forward for the county of Northumberland? Simply and solely because, though the heads of the house of Percy had voted for the introduction of corn free of duty, because they believed that it would be for the public good, they were determined not to see the farmers run down, not to allow their complaints to pass unheeded, and their sufferings to remain unredressed. He had been misrepresented the first night of the Session, and that for the sake of a poor antithesis. What he had stated then, and upon the hustings broadly and openly was, that in his opinion duties should be imposed for revenue and not for Protection; but that efforts should be made to secure justice to the farmer by the abolition of all the restrictions to which he was subjected; and he would appeal to the right hon. the Member for Oxford, if there was anything in that statement contrary to the doctrines of Free Trade. He had to apologise to the House for thus trespassing upon their patience in a matter personal to himself; but he trusted that it would be remembered that it was hardly possible for him to sit still, when called upon in so personal and unusual a manner.

Mr. GLADSTONE: I wish, Sir, to say a few words with respect to the question raised by my right hon. Friend (Sir J. Graham), and I rise simply in the hope that anything which may fall from me may only be of such a character as to contribute to an issue of these discussions such as shall be at once satisfactory to the feelings of the great body of the people and likely to promote the undisputed permanence of the present commercial policy of the country. I venture to hope that some progress has been made towards a settlement of that question, and that if we can agree upon the question which has been raised by the right hon. Baronet with respect to the insertion of certain words in the Amendment, suggested by my noble Friend near me (Viscount Palmerston), that then, although we should not be entitled, in point of form, to say that either the Amendment of the Government or the original Motion of the hon. Member for Wolverhampton (Mr. C. Villiers) had been withdrawn, yet that both these concessions would be made by both parties respectively interested to the general feeling, and that we might come to something like a common agreement. Now, the whole question before us relates to one only of the two changes which have been made in the Resolution. There is a change in the Resolution of the phrase "in a great measure" to the word "mainly." I do not believe that any Gentleman considers that any objection is to be taken to that change, and shall therefore speak only of the words proposed to be inserted in the second Resolution. It is proposed to insert after the word "policy," the words "firmly maintained and prudently extended;" and the question we have to consider is, what will be the bearing of these words upon the sense of the Amendments, and how far it will be agreeable to the feelings and wishes of the great body of the House that those words should be inserted. It is now necessary for me to state what my responsibility is with respect to the present Motion. I am one of those, I confess, who strongly felt that it was necessary, under the circumstances of the election of the present Parliament, that a sanction, the most full and formal which our Constitution contemplates, should, so far as depends upon Parliament, be given in express words to the policy of free trade. And, therefore, I have been entirely favourable to the view of a proposition being submitted to this House on the subject, failing a distinct declaration on the subject in the Speech from the Throne. At the same time I so entirely sympathise with my right hon. Friend (Sir J. Graham) in the feeling that it was most desirable, if it could be obtained, to avoid the introduction into such a Motion of any words—I will not say which were disgraceful, but—which were deemed or thought disparaging to any body of Gentlemen in this House—I go to a further point, and do not hesitate to accept the responsibility for myself individually which the right hon. Baronet has just ascribed to several of his Colleagues in the Government of my illustrious Friend the late Sir Robert Peel—the responsibility of holding the opinion that the question of compensation, or relief, or redress, or whatever you may choose to call it, to the agricultural interest, important as that question may be, and strong as our opinions may be upon the one part of it or another, was a question which ought not to be settled in a Motion directed simply to the purpose of establishing the policy of free trade. It appeared to me that we had but one of two alternatives to adopt. We knew quite well that the Members of the Government had given out to their constituents, and had universally held out to them, either that Protection would be restored, or that, if Protection was not restored, endeavours would be made to afford specific relief to that interest supposed to be injured by the effects of the free-trade policy. The right hon. Gentleman the Chancellor of the Exchequer had given notice that, on the 26th of this month, he would propose his Budget to the House, and it was to be presumed that in that Budget proposals of this nature would be included. I do not think, I confess, whether rightly or wrongly, that in respect to these questions of compensation which are supposed to be connected with the repeal of the Corn Laws, that we ought to preclude the Government from submitting any measures whatever which in their opinion they might think right by an anticipatory vote of this House. I held that it was plain we had but one of two courses to take—either to allow the Government to go forward with unfettered hands, and to propose their Budget upon the principles owned and acknowledged by them, among which I am happy now to include the principle of free trade; or else, by meeting them at once with a vote of want of confidence, in a true, sound, and constitutional manner to exercise the functions of the House to put a period at once to the existence of the Administration. So far, therefore, as regards this question, it appeared to me that it was not our duty to take a vote at the present moment on the subject of relief to any interest supposed to be injured by recent legislation, but that we ought to wait for the proposal of the measures of the Government, and to try their measures upon their merits, objecting, of course, to measures of compensation, should we find such measures included among them, where our opinion leads us to decline to follow such a course of conduct. My right hon. Friend the Member for Carlisle, on the other hand, attaches, I believe, considerable importance to the readmission of these words, and I understand the right hon. Baronet to have given to the House in the most distinct manner the construction which he fixes upon them. I frankly say that his construction is wholly unexceptionable to me. He says that he proposes to exclude the claim of compensation with respect to prospective measures, by the phrase in his Motion—that in deference to others, more than in pursuance of his own views, he has been content to leave the question of compensation or relief, so far as it grows out of past measures of policy, to be tried when we come to consider the proposals of Her Majesty's Government. If this be so, I think, if the House has a sense of what is due to its own dignity and to its own character in the country—that if there be happily a disposition in the various parties and sections of which this House is composed to seek for grounds of agreement, rather than of occasions of difference—I think I may say that the Resolution of the right hon. Baronet, admirably drawn up by a master hand as I think it was, and filled up with the words he proposes to insert, would be a Resolution which may be adopted both by the hon. Mover of the original Motion, and the right hon. Proposer of the Amendment of the Government, without the slightest dishonour or disparagement, and without the slightest sacrifice of consistency on either side. The Resolution so adopted will leave open every question which the Government can wish should be left open, and it will finally close up that great Imperial question which, upon this side of the House, we all feel the time has arrived finally to close. If this view be taken—such, at any rate, is my conviction—this Resolution will afford us the means of meeting on common ground for the purpose of considering measures alike beneficial to the country and honourable to the moderation and good sense of the parties of which this House is composed. I venture, therefore, for myself, earnestly and respectfully, to make an appeal to my noble Friend (Viscount Palmerston) near me. The spirit with which he has entered into the discussion is one with which I do not hesitate entirely to concur. I cannot, however, refrain from saying that, although my mind was fully made up to support the Motion of the hon. Member for Wolverhampton in preference to the Amendment of the Government, had that been the issue raised, yet I cannot help saying that, while there are several grounds which would have made it painful to me, as well as to my right hon. Friend, to take that course in opposition to the Government, I should still have taken it without the slightest doubt or hesitation, though not without regret. My noble Friend near me has by his Amendment saved us from this alternative, which would not have been satisfactory to the great bulk of the House; and I must also say that I think the country would have been perplexed and puzzled by a close division, upon whichever side, between the two Motions so nearly approximating in their terms the original Motion of the hon. Member for Wolverhampton and the Amendment of the right hon. the Chancellor of the Exchequer. I believe that the interests of the Free-trade policy, which are to be considered as paramount, will be infinitely better served by the concurrence of the great bulk and body of this House in the adoption of the Amendment of the noble Lord the Member for Tiverton, with the addition of those words referred to by the right hon. Baronet the Member for Carlisle (Sir J. Graham), than they could possibly be by the defeat of the Motion of the hon. Member for Wolverhampton by a narrow majority, or even by its acceptance by a majority in all probability not much larger.

Mr. T. DUNCOMBE said: We have been reminded, over and over again, that this is a new House of Commons, and that it is so is evident not only from the nature of the opposition, but from the whole course of proceeding on this debate on both sides; for in the nine Parliaments during which I have sat in this House, I never before saw anything like the manner in which it appears the House, and, what is still more to the purpose, the people out of doors, are about to be trifled with. It was only the other evening (Friday) that it was resolved there should be a call of the House on Monday. Monday came, and 400 or 500 Members assembled to answer to their names; but instead of calling them over as they had resolved, and for which purpose only those Members had been summoned, the House immediately proceeded toun vote what it had voted on the previous Friday, and that in the absence of the hon. Member for Montrose (Mr. Hume), at whose instance the Resolution had been passed. I confess I should like to have seen my hon. Friend's face when he learned that the call of the House had been abandoned. But we were told the whole purpose of the call was answered, some thirty or forty Members having come to the table and taken the oath of abjuration, which having done, of course they immediately went out of town again. Well, we have had one night's debate on the Resolution of my hon. Friend (Mr. C. Villiers), and some of the best speeches I ever heard, particularly that of the hon. Member for Manchester (Mr. Bright), have been spoken. We were told that we had a great duty to perform to the people. We were to declare that the legislation of 1846 was wise, just, and beneficial, and that not a word of the Resolution of my hon. Friend, in which that declaration was contained, was to be changed. And not only that, we were told that there was a tribute, a debt, due to the memory of that illustrious man who passed the Act of 1846, which could only be paid by a public recognition of the policy on which that Act was founded. Now, after all this, we have these various Amendments. First, there is the Amendment of the Government; then we have the Amendment of the noble Lord the Member for Tiverton (Viscount Palmerston); and now, it appears, we are to have something more recent from the right hon. Baronet the Member for Carlisle (Sir James Graham). What next were they to have ? The right hon. Member for Oxford Univerity (Mr. Gladstone), told them that the country would be puzzled and perplexed at their proceedings; the country might well be puzzled and perplexed at them. Now, what I should recommend is this : the right hon. Baronet the Member for Carlisle has moved that the House should now adjourn. The right hon. Gentleman has moved that as a matter of form. Now, I say, we had better take the right hon. Gentleman at his word, and let the House adjourn until it can make up its mind—or that we should constitute a Committee, and put the hon. Member for the Tower Hamlets (Sir W. Clay) at its head, to draw out this Amendment—this Amendment upon an Amendment—which we are to have, to which all are to agree, which is to settle the whole question, and make us all friendly, and prevent anything more being said either about Protection or Free Trade. I see no reason why we should not adopt the Motion, and adjourn at once for that purpose. But as questions appear to be the order of the day, there is one party, I think, of whom a question should be asked, and that is the noble Viscount the Member for Tiverton. How came the noble Viscount by the right hon. Baronet's Amendment ? By what method of " appropriation " did he obtain that document ? But this new Amendment is conditional, it will be observed—it is only to be brought forward in case the Resolution of my hon. Friend (Mr. C. Villiers), and the Amendment of the Government, should be withdrawn. Are we to understand, then, that there is to be no division ? But suppose the debate proceeds—and I thought it a very pretty quarrel as it stood, and am truly sorry it was disturbed—but suppose the debate is continued, and the Amendment of the Government should be carried, and my hon. Friend (Mr. C. Villiers) should be defeated—what I want to know is, will the noble Viscount then move his Amendment to the Resolution of the Government, which will then become the main question, and which it will of course be competent for him to do ? If he do not, the country will not be much perplexed—they will then say the whole affair is a cross. The country will begin to think that those Gentlemen below me—the Whigs—and I only wish Whiggery was about to be buried for ever with Protection—feel they are not quite ripe for office—that they have not quite made up their minds for office—though no doubt the right hon. Baronet the Member for Carlisle has been rewhigged for the occasion. They—the country—will understand that the cause of all this mess in which we find ourselves involved is, that the party below me are not quite prepared to turn out the Gentlemen opposite. We were made fools of on Monday last, as though it had been the 1st of April — we have discussed the question brought forward by my hon. Friend (Mr. C. Villiers) a whole night, and we are on the point of discussing it again, and bringing it to a conclusion, as I hoped, satisfactory to the people of this country—and now we suddenly find ourselves removed further than ever from that settlement. Under these circumstances, I hope the House will agree to adjourn, and leave hon. Gentlemen below me some time to settle amicably as they may the difference that appears to exist between them.

Mr. CAYLEY trusted that he might be allowed to address the House upon the point at issue, the more especially as he was an old soldier upon this question, and he hoped that he had been a consistent one. Ever since protection had been abolished in 1846, he for one had never endeavoured to restore it. He was perfectly conscious that it never could be restored. When the hon. Member for Wolverhampton made his speech the other night upon the Address, he thought that if that hon. Member did not know that protection was dead, and that there was no possibility of restoring it, he was the only man in the country who was ignorant of the fact. It seemed to him, therefore, to be somewhat unfair that he should be placed in such a position as that predicament in which he now found himself — without any *locus pœnitentia*—without any means of escape. He admitted that free trade had conquered protection. After the verdict of the country pronounced by the recent election, he for one would never attempt to restore protection, nor try to obtain compensation, except for financial injustice. The passage in the Address which was the subject of criticism, as he understood it, meant that, if the finances of the country did not correspond with the recent commercial legislation, then the Chancellor of the Exchequer would propose such measures as were equitable and just. With less than justice he should not be content. That was what he understood was recommended in the Speech from the Throne. For his part he was ready to be loyal to the law; and it was unfair, when he was willing to obey the law and carry it out with simplicity and singleness of purpose, that he should be asked to recant everything which he had ever said. Freedom of person, freedom of speech, were still left them, and he was in hope that a liberal Opposition would have also allowed them liberty of thought. He did not recant his opinions, although he might have modified them. At the same time he saw the House placed in a most unusual dilemma, and he thought that it would be for the national interest, and for the benefit of the public service, if some concessions were made upon all sides. He, for one, was perfectly willing to permit the words of the right hon. Baronet the Member for Carlisle to pass without opposition, if the hon. Members for the West Riding and Manchester should consent to them; and he entreated his hon. Friends whom he saw around him to allow the discussion to come to an end, and to leave the policy of free trade, which they could not reverse, free from attack. As to Sir Robert Peel, he always gave him credit for the honesty of his convictions. He did not object, on the contrary he thought he was quite right, having changed his convictions, to change his policy. There was only some difference between them as to the mode in which he carried out his change of opinion, as regarded his party. Wishing to see this unseemly discussion closed, he implored the House to forget all party dissensions, and at once to proceed to transact the other business of the nation, contenting themselves with the acknowledgment by Gentlemen upon his side that protection is dead, and cannot, under circumstances like the present, by any possibility be restored.

Mr. ROBERT PALMER said, he thought the matter had been quite sufficiently debated. The question at issue was, whether the Government should be called upon to assert an abstract proposition, or whether the House would adopt the Amendment moved by the Government. Now he had no hesitation in saying that his own feelings, and that of a large number of his friends, were in direct antagonism to the Motion of the hon. Member for Wolverhampton (Mr. C. Villiers), and that he should record his vote against it. He could not possibly concur in the first paragraph of that Resolution, namely, that the Act of 1846 was wise, just, and beneficial. He had had some experience in that House, and had hardly expected to be called upon, and certainly was not prepared, to turn round and recant all he had said for the last twenty-six years. He did not concur that in the opinion of the House the maintenance and further extension of the policy of Free Trade, as opposed to that of Protection, would best enable the property and industry of the nation to bear the burdens to which they are exposed, and would most contribute to the general prosperity, welfare, and contentment of the people. If he accepted that paragraph, he would be casting a slur, he would be pronouncing a condemnation of all their previous conduct. For his part, he was not prepared to recant the opinions which he had previously expressed and previously advocated; opinions which he begged the House to remember were not formed to-day or yesterday, upon this subject of protection to native industry. They were opinions which had been framed on the opinions of Mr. Huskisson, on the opinions of Mr. Canning, on the opinions of Sir Robert Peel, on the opinions of the noble Lord the Member for London (Lord John Russell), and last, not least, upon the authority of the right hon. Baronet the Member for Carlisle (Sir J. Graham). He had not adopted them hastily, or without consideration. They were, however, perfectly aware that the sense of the country was against their opinions. They felt perfectly confident that if they were to propose a direct Motion to renew the duty on corn, they would be left in a small minority. He was totally ignorant what course the Government would pursue. All he wished to say was, that if they adopted the proposition of the noble Lord the Member for Tiverton (Viscount Palmerston), he protested against being made a party to that Resolution. The country might be in favour of Free Trade, and he bowed to its decision; but if it were put to him "aye, or no," to say whether for the last six-and-twenty years he had been all wrong, and that he would on no occasion endeavour to procure means of remedying or alleviating the distresses of that class which, he believed, had been injured—he must protest against being made a party to such a Resolution.

VISCOUNT **PALMERSTON**: I cannot but hope, Sir, that the conversation which has taken place this afternoon affords an indication that we have a prospect of coming nearer to an agreement upon this great question than I had ventured to anticipate. I must say that what we have heard from the hon. Member for the North Riding of Yorkshire (Mr. Cayley) is alike honourable to him and gratifying to us, as coming from a man of his position in the House and in the country, who, always perfectly independent, always respected for his excellent judgment and sound sense, has hitherto strongly supported Protection; and who now, finding himself defeated on that question, gracefully acknowledges his defeat, and yields his private convictions to his sense of public duty and national interest. I should hope, also, that his example will influence those who have acted with him, and that others on that side of the House will adopt the advice which my hon. Friend—if he will allow me to call him so—has so judiciously propounded to the House. My hon. Friend the Member for Finsbury (Mr. T. Duncombe) has put a question to me; he wants to know how I came by the Resolution that was originally framed by my right hon. Friend (Sir J. Graham). I can only tell the hon. Gentleman that I came by it by very lawful means. I made a slight alteration in it, for the purpose, as I imagined, of avoiding discussion now on collateral points—as to compensation, for example—it being understood that the words proposed by my right hon. Friend apply to the future, and leave the Government open to propose such measures as they please with regard to the past, leaving us equally open to object to those measures if they ever should be brought forward. I have no objection to the insertion of those words, and I understand the hon. Member for the North Riding also to assent to those words. Now, Sir, my hon. Friend the Member for Finsbury has asked a more practical question. My hon. Friend asks what shall I do, supposing the Resolution of my hon. Friend (Mr. C. Villiers) to be rejected—will I then propose my Amendment as a substitute for the Amendment which Her Majesty's Government have tendered? I will answer that question by asking another question. Will he support me if I do so? [Mr. T. DUNCOMBE: Yes; I will, as against the Government.] Well, I assure him that if I am encouraged to expect adequate support in that Motion, I shall undoubtedly propose it; and I should really hope, from what has passed this night, supposing the Motion of my hon. Friend to be either withdrawn or to be negatived—that is to say, the putting of it to be negatived—that I might hope to have a general acquiescence in the Resolution of which I have given notice, and for which, as the House is aware, I am greatly indebted to my right hon. Friend the Member for Carlisle (Sir J. Graham). But, Sir, I do trust that both sides of the House will agree that it really is of great national importance that this great question should be set at rest; the question being, not what hon. Gentlemen on one side of the House or on the other side think of the justice or the wisdom of the measures of 1846, but what they determine to do in regard to the maintenance of that policy, and to its prudent extension, so far as it may yet remain to extend it; and if the House be of opinion that that policy must be maintained—and I think there can hardly be ten Members of the House of a different opinion, because all must see, whatever they may wish, that its reversal is unattainable—if the House, or a majority of the House, have opened their eyes to the truth that that policy is irresistibly established, and that it is beyond the power of any party in this country to reverse it—I say let them calm the public mind; let them set at rest those expectations which may still linger in the breasts of persons out of doors, that by some change on the part of the Government that policy may by possibility be reversed; let this House answer by a solemn affirmation the question put to it by Her Majesty's Government when the present Parliament assembled; and, without inquiring what are the opinions of individual Members on past transactions, let us, unanimously if possible — if not, by the largest possible majority—affirm what is to be henceforward the foundation of the commercial legislation of the country.

SIR **BULWER LYTTON** said, that the sole question which the House had to decide was, the adoption of a form of words affirming the principle of free trade, which should satisfy the common sense of the great body of the people out of doors, and, at the same time, should not inflict an insidious condemnation on Gentlemen upon his side of the House for having conscientiously advocated the principles which they believed to be true. For his part, he could not accept the Resolution of the hon. and learned Gentleman the Member for Wolverhampton, because it did insinuate a condemnation upon the motives and past conduct of his hon. Friends. The noble Lord the Member for Tiverton had, however, proposed a Resolution which was worthy of one who had been long accustomed to unite our national honour with our political interests. He had listened with very great attention to the speeches of the right hon. Member for the University of Oxford, and of the right hon. Baronet the Member for Carlisle. In the Resolution they proposed there were certain expressions in it which made him prefer the Amendment of the Chancellor of the Exchequer; but he felt that having agreed upon the thing they meant to do, there was no necessity for extreme niceness of verbal criticism, provided the honour of Gentlemen was sufficiently protected. He did not consider, in having accepted the Resolution, that he was thereby precluded from doing his best for his constituents in the way of relief—not, indeed, attempting to obtain a renewal of protection under false names, but by a fair and impartial application of free trade, which, indeed, was what the farmers themselves demanded. Cordially agreeing in what had fallen from the hon. Member for the North Riding of Yorkshire, he called upon Gentlemen opposite to exhibit the same conciliatory spirit. It seemed to him that it would be something majestic and worthy of them, as a representative assembly, if they could on such an occasion lay aside their party interests and political jealousies, and join unanimously in the affirmation of a principle which was to guide their future policy. It was for the interest of the principle itself that its affirmation should not be carried by an insignificant majority; when the evil incurred by the bitterness of contest would be ill compensated by the insignificancy of the triumph. He, therefore, earnestly recommended hon. Gentlemen to follow the example his hon. Friend had set, and thus propose the final and peaceful settlement of this momentous question.

The MARQUESS of GRANBY: Sir, I was anxious to ascertain, whether or no the hon. Member for Wolverhampton (Mr. C. Villiers) would accept or reject the proposal made to him.

MR. BRIGHT: The question was put to the Government, and not to him.

The MARQUESS of GRANBY: Well, of course, I must leave the hon. Gentleman the Member for Wolverhampton to decide for himself whether or not he will persevere with his Motion. For my own part, Sir, I have no hesitation in saying, that I hope the hon. Gentleman will persevere with his Motion. ["Hear, hear!"] Yes, I say, I hope he will. I heard the hon. Member for Manchester (Mr. Bright) declare the other evening that those hon. Gentlemen who pretended to be free-traders, but who were not prepared to vote for the Motion of the hon. Member for Wolverhampton in approval of "recent legislation," were no free-traders at all. Now, my own opinion is, and I tell the noble Lord the Member for Tiverton (Viscount Palmerston), that if he does not divide upon his Amendment, the opinion will go out to America that the House of Commons is in favour of Protection—that he dared not divide the House on the question. Last year a similar Motion was proposed in this House, and I received no answer to the speech which I then made—no answer to it is made now, and I foresee that, in the present House, unless the hon. Member perseveres with his Motion, that I will not have an opportunity of addressing it. Sir, I, for one, cannot give my assent to any one of these Resolutions. I totally dissent from each and all of them. I agree with an hon. Gentleman who has spoken, that there is so much confusion—so much mystification—so much doubt and obscurity about them, that I, as well as others, am quite at a loss to make out what the difference between the several propositions is. I own, Sir, that I am completely baffled. So that, if this debate be continued, I hope that I may not be debarred from expressing my opinion; but, in case I should not have that opportunity, I now distinctly avow my determination to dissent from all those Resolutions or Amendments. I do not think, whilst I admit the general prosperity of the country, that that prosperity is owing to recent commercial legislation. I think it is owing to other causes. I believe that the Free Trade system itself has not as yet been fully developed. I must repeat a hope that the House will give me another opportunity of relieving my mind upon this question—upon the question whether or no the country at large has been benefited by those commercial measures—I mean permanently benefited; for I do not deny that the poorer classes are better off now than they were previously to 1846; and I say, further, that if this be so, I think that some apology—some acknowledgment—is due to the memory of that distinguished individual. ["Hear, hear!"] Yes, Sir, I say that some acknowledgment is due to the memory of that man whose patriotism I, for one, never doubted—and the purity of whose motives I never impugned. I say that, if what is alleged in the Resolution proposed to us be true, which I deny—then that some acknowledgment is due to his memory—an acknowledgment that he was not only patriotic and conscientious, but that he was also foreseeing and sagacious. May I add one word; may I address myself for one moment to my right hon. Friend the Chancellor of the Exchequer—may I tell him that I cordially agree with him in what he stated the other night? I fully admit that the right hon. Gentleman never brought the question of Protection before the House of Commons. But I am sure that he, too, will be ready to admit that, at all events, he has been generously, and without reserve, supported by the Protectionist party on this question, both in this House and out of it. Sir, with these few words I quit the subject for the present. I am not about to oppose myself to the deliberate verdict of the country as expressed against Protection. It is not my wish to agitate England in favour of that principle; but, entertaining the opinion as I do, that the prosperity which I admit exists, and which, I fear, will not last, is owing to other causes than Free Trade, I beg to conclude, thanking the House for the indulgence with which they have listened to me, by saying that I reserve to myself the right to maintain those opinions whenever and wherever I may think fit to advocate them.

Mr. BUTLER JOHNSTONE said, that he had listened with the greatest attention to the remarks of hon. Gentlemen on both sides of the House, and had come to the conclusion that there was but little use in the House of Commons wasting its time about a mere abstract form of words. He believed the real question was the passing a formal Resolution as to whether Free Trade was to be adopted or not. After the frank admission of the noble Lord at the head of the Government, and the right hon. Gentleman the Chancellor of the Exchequer, that they bowed to the decision of the country, he thought it useless to discuss the subject further. For his own part he entirely coincided in the Amendment, and in the observations of his right hon. Friend the Chancellor of the Exchequer. As for Protection itself, there was no longer any use in talking about it—never was an enemy so stabbed, maimed, and mutilated. As an independent Member of that House, and exercising a free and unbiassed opinion, he would vote against the Resolutions of the hon. Member for Wolverhampton, because they contained an indirect attack upon the policy, character, and conduct of hon. Members on his (Mr. Johnstone's) side of the House.

The CHANCELLOR OF THE EXCHEQUER: My hon. Friend the Member for Berkshire seems somewhat to complain that I have not before replied to the question of the hon. Baronet the Member for the Tower Hamlets; but I confess that that question was of so peculiar a character that it was difficult for me to address myself to it. It seemed, in fact, to be a contingency dependent upon an hypothesis—"If an hon. Gentleman with whom I have no political connexion is prepared to do something, am I then prepared to do something else?" I naturally thought that the most logical and legitimate course would have been for the hon. and learned Member for Wolverhampton, or his friends, to have expressed their feelings upon the subject first; and then, when I was acquainted with their views, I could, of course, communicate my own to the House. But as the hon. and learned Gentleman has not risen, I, on the part of the Government, take the liberty now of addressing you. My noble Friend the Member for North Leicestershire (the Marquess of Granby) has reminded me how generously, and without reserve, I have been supported by the Protectionist party in this House and in the country; and I can truly say, Sir, that ever since I have been honoured by that confidence, of which till the last hour of my life I shall be proud, I have done every thing that any ability I possess could command, or any energy I had could accomplish, in behalf of the cause of the land of England. I think it has been unjustly treated by recent legislation; but, as far as the terms go which I have used in the Amendment I have laid upon the table of the House, I cannot resist the conviction that recent legislation, so far as it has produced cheapness of provisions, has contributed to the welfare of the working classes. One would suppose, Sir, from some observations that have been made, and from the derisive cheers which occasionally arise from Gentlemen opposite, that a Protectionist Government had suddenly come down to the House of Commons to announce that they had changed their opinions. I can only say that if any Gentleman supposes that to be the case, he must take a very erroneous and perverted view of what has occurred. Here is a Government which in no way succeeded to office in connexion with that question. With the consent and concurrence, not only of the House, but of the whole country, it was determined that the question of protection should be left to the decision of the country, to be declared by a general election. The verdict of the country has been of an unmistakeable character. We have bowed to that unequivocal declaration. If we had acceded to office in order to advocate a system of protection—if we had dissolved Parliament on that question, and found that the country would not support us, we should have felt it our duty immediately to relinquish the posts which we now occupy; but, Sir, I am not aware, from all that has occurred, that that is at all our duty; and if there be any Gentleman in this House who thinks that it is our duty, and if it is the opinion of the majority of this House that it is our duty, that is an issue which can easily and speedily be tried. Sir, I have said myself that this was a question of taxation. No one has pretended, for example, that the native industry of any country has a right to any artificial support unless it be subjected to some peculiar burdens or to some weight of taxation which otherwise might not be considered of an equitable character. If I find that protection, as it is called, being now abrogated, it is yet possible to recommend to the House a policy which will relieve the interests that are suffering from the withdrawal of that system, and which will allow them to compete with the industry of the world as fair rivals, I think that that is not only a consistent course for one who has advocated the principle of protection in former times, but that I am still doing my duty to that party in this House and out of it who have so generously supported me; and I declare most sincerely that it is only because I think I can bring forward measures which will have the effect of relieving all those interests that have suffered from the precipitate abrogation of past laws, and at the same time of contributing to the general advantage of the community, that I consent for a moment to hold the position which I now occupy. Sir, I shall now advert—although physically, as you will perceive, I feel it almost impossible to address the House—I shall now advert to the point which is particularly before us—the Motion of the hon. and learned Gentleman the Member for Wolverhampton, as amended by the right hon. Gentleman the Member for Carlisle, and the contingent Amendment of the noble Lord the Member for Tiverton. Now, Sir, we have heard from the right hon. Gentleman the Member for Carlisle a minute narrative of his connexion with the documents now upon the table of the House. The House will perhaps permit me, on the part of the Government, with equal frankness, and I hope with not less brevity, to detail the course which we have thought it right to pursue, and the cause which induced us to take such a course. We have heard to-night from the right hon. Gentleman the Member for Carlisle a complete vindication of the passage once so much criticised in Her Majesty's Speech. That right hon. Gentleman told us to-night, that although, in his opinion, there was no claim for compensation by any interest in the country for any injury they may have experienced from recent legislation, still he thought it was a legitimate subject for Parliamentary decision. I think the right hon. Gentleman took a constitutional course, and used constitutional language in speaking on that subject. For what, Sir, were the words of Her Majesty's Speech? After laying down in an unequivocal manner that the principle of our commercial legislation had, after due deliberation, been settled by the country in favour of the principle of unrestricted competition, Her Majesty said that if the House should be of opinion that any great interests had suffered by the recent legislation, which had contributed to the common weal, Her Majesty recommended that the House should take their claims into consideration. Why, Sir, that is exactly the course which the right hon. Gentleman approves of. The right hon. Gentleman used the word "compensation" again and again; and upon that word, indeed, he based most of his observations, and the course which he recommended to the House. But I must say, Sir, that it would have been convenient to the House, when a person of such high authority founded the recommendation of a certain policy upon a phrase, if he had at least referred to some authentic record for the sentiment which he quoted. I have had no opportunity of previous investigation, but I confess I don't remember that in any Parliamentary discussion of the question the word "compensation" was ever brought forward. It is possible that the right hon. Gentleman may or may not have found such a phrase in some electioneering speech or another, by some Member or another sitting on this side of the House; but the right hon. Gentleman is the last person in this House who ought to encourage our having recourse to electioneering speeches, in order to deduce from them the opinions of great statesmen, and the maxims that ought to regulate the policy of the English Parliament. Well, Sir, I contend that upon the declaration of the right hon. Gentleman himself, the passage in Her Majesty's Speech is fully vindicated; that that Speech was drawn up on the true principle—of course, with that due reserve which should always exist in all Royal documents of the kind—that there was a clear and definite statement as to the state of the country, and other important points, and also allusions equally Parliamentary and constitutional with reference to points of other importance which were left to further consideration. I say that the expositions of the First Minister of the Crown, and the humble words which I may have used, would have removed any doubt, had any doubt existed, as to the meaning of that particular passage in Her Majesty's Speech. But the right hon. Gentleman says that a doubt did exist on the subject, because I did not, before the Address was moved, name the day on which I would bring forward my financial statement. Why, Sir, there were peculiar reasons which rendered it impossible to fix the day for that purpose then; and I thought that, before the Address was moved, to say that on an early day I should bring forward my statement, without fixing the precise day, would have had an air of a not very satisfactory kind, and that it would be much better, as the day could not be fixed, to refer to it in the few words which I should probably have to address to the House in the course of the evening. But, Sir, there is no doubt that, from the first, there was some misconception on the subject; a misconception which I must say, was eagerly fostered by those who found it convenient for their own purposes to do so. At last it became evident that there was a general feeling in the House that there should be some declaration on the part of Parliament, expressing their opinion that the verdict of the country had been decisively unfavourable to the principle of a protective policy; and, although I think myself, as a general rule, that declarations of that kind by new Parliaments are not extremely expedient; because, after all, they do not settle any question—they do not bind even the next Session—they do not in any way affect opinion; and I should be sorry myself—wishing most sincerely that the principle of unrestricted competition should not now be disturbed—I say, I should be very sorry if the only security for that result was a hasty vote at the commencement of a new Parliament. But, hearing that there was a general feeling on the subject, and believing from many indications which I met with in the House that the Resolution to be proposed was not of a party character—that is, not of a party character in the more limited and odious sense of the phrase—we were of opinion that no opposition should be made, if some Resolution was brought forward which was in its character quite unequivocal as to the fact that the country had decided in favour of the system of free trade, and that it was the duty of the Government hereafter sincerely to adhere to the principle of unrestricted competition in their financial and commercial legislation. For myself individually, of course I could have no objection to such a Resolution, because in the measures which I have to recommend to the House, if there be one feature more decided than another, it is that they are based upon the principle of unrestricted competition—that that principle must be hereafter the basis of our whole commercial system; for, unless unrestricted competition be the principle of our financial and commercial policy, that which I would recommend cannot be supported. I will not now—as I could not feel justified in doing so on a previous occasion—I will not now, I say, be led into any reference to the character of those measures; for I am sure the House will feel that it would be most unfair to do so. All I can say, in answer to my noble Friend (the Marquess of Granby) is, that, as he acknowledges, and all must acknowledge, that the verdict of the country is opposed to that principle which for so many years we supported—feeling that it is impossible for any man in this House to propose legislation founded upon that principle with any success, or with any hope of carrying such measures, I trust he will find, when those measures are brought forward, that I have not been unmindful of the just claims of those who, I think, have been unfairly treated by recent legislation. Under these circumstances, what was the course which Her Majesty's Government took? My noble Friend (the Earl of Derby), to whose opinion we deferred, met his friends, and communicated to them frankly his opinion that, if a Resolution were brought forward declaring that the verdict of the country had been expressed in an unequivocal manner, and announcing that it would be the duty of Her Majesty's Ministers to adhere to and develop the principle of uurestricted competition, it would be most unwise in any way to keep alive the controversy by opposing it; but that it was perfectly open to any Gentleman on this side of the House who objected in any way to acknowledging what may be called almost a fact rather than a prevailing dogma, to take no part in the debate or in the division, if there were one. It was the noble Lord's opinion, however, that, as to the fact, we should heartily and unequivocally endeavour that the declaration should be unanimously adopted by the House of Commons. Now, the draft of a Resolution also reached me which I was told was to be submitted to the House. I am sure that what has occurred to-night must be very instructive, especially to those who have taken their seats in this House for the first time. They must have received a rich lesson as to the mode by which the opposition is carried on. All I know is, that when we sat on the benches opposite we were more discreet. I do not remember any such frank confessions having ever been made in our time. When we change sides, our youthful adherents will have received a lesson as to how it is possible to combine and manage mankind. Well, I say, a Resolution—I suppose it came from the clouds—fell into my hands, and although it was most precise and unequivocal in the declaration that the country had decided that the principle of unrestricted competition was to be the principle of our commercial policy—and that in all their future measures it was the duty of Ministers to adhere to that principle, there was nothing in that Resolution which I or any other Gentleman on this side of the House could not have accepted. Under these circumstances, my noble Friend recommended those who are proud to be his followers frankly to accept that Resolution, if it were brought forward. There was no secret made of the advice which he gave. We should not have cared if it had been made known at Charing-cross; and probably it was made known at Charing-cross. But the most remarkable circumstance is, that the moment this advice was known, three odious epithets were put into the Resolution. Now, that is not the way to bring about a unanimous decision of the House upon a subject of such vast importance; for the only consequence of such a course must be, that the hon. Member for Manchester and his Friends will never obtain their object by it; because, whether they gain the division or not, it can only be by a small majority, which would necessarily give the country and the world the idea that upon this vital question, which we are all agreed is settled at last, there are arrayed two great parties. Well, Sir, a Resolution very different from the Resolution which I first saw, was at length placed on the table of the House, and it became us then to consider what was the course which we should pursue. It was quite clear that, if the hon. and learned Gentleman the Member for Wolverhampton persisted in moving his Resolution, there would not only be a division, but a division of a most balanced kind; that, instead of commencing the new Parliament by a declaration which would stop further agitation on this controversial topic, we should commence the new Parliament by a movement which would render this question again the means of demarcation between parties. It was suggested, I believe, that the Resolution of the hon. and learned Gentleman would not only be injurious to the feelings of Gentlemen on this side of the House, but that it had not been received with much favour by many Gentlemen on the other side. It was, therefore, not impossible that we might have moved the previous question with some prospect of success. To have recommended our friends, for the sake of unanimity, to have acceded to the Resolution, was quite impossible. It is all very well to say that these are only words—that many who did not think the legislation of 1846 wise and beneficial may be of that opinion now, though they thought otherwise then. But, Sir, no one can have two opinions as to the meaning and the motive with which these words were inserted; and we were of opinion that in public as in private life, it was a mistake to submit to insult. Under these circumstances, we endeavoured to draw out a distinct Resolution which we considered would conciliate your opinions to such a degree that we hoped it might be accepted. I have not the Resolution at hand, but I can sufficiently recollect to know that it most unequivocally declared our opinion that the welfare of the working classes was attributable to the cheapness of provisions occasioned by recent legislation. We thought that that was a declaration which would have been received by hon. Gentlemen opposite as a sign of a conciliatory feeling on our side; and we did hope that hon. Gentlemen on this side of the House—however they might object to the policy which produced that result—although they might still be of opinion that great and unnecessary injuries had been incurred by a particular class occasioned by the precipitate legislation on the question—would still not attempt to deny the fact that cheapness of provisions had contributed to the welfare of the working classes. We therefore made that declaration most unequivocally. We laid down, as we thought, in language which could not be mistaken, what our opinion was as to the principle of our commercial legislation. We did that in language so distinct and so precise, that the right hon. Gentleman the Member for the University of Oxford himself said, that language could go no further on that point. We said more than that; we said that it was the duty of the Government rigidly and unreservedly to adhere to this principle in all the measures we should bring forward in future. And this Resolution has been called a frigid Resolution. I can assure the House that it was not conceived in any spirit of that kind—it was brought forward in a spirit of conciliation to all parties, and we were in hopes that it might have been accepted by the House as sufficient for the purpose. There is another Amendment—the Amendment of the noble Lord the Member for Tiverton—which is contingent upon the Amendment which I have proposed. And, besides the Amendment of the noble Lord, there is a fourth Amendment, which has been announced to-night by the right hon. Gentleman the Member for Carlisle. It is difficult to discuss an Amendment which is not printed; but, as far as I could follow the right hon. Gentleman, his Amendment means this—that if Ministers bring forward measures which injure certain classes in the country, those classes shall have no claim to compensation. I understand this to be the result of the right hon. Gentleman's Amendment: that in subsequent legislation, such as we have intimated, there shall be no compensation claimed, but that the House will reserve to itself the right of considering the propriety of compensation for legislation that has passed. If that be his meaning, I shall not be very captious on the subject. But we have to decide what we shall do if the hon. and learned Gentleman the Member for Wolverhampton persists in the course which he has taken. I shall certainly resist the Resolution of the hon. and learned Gentleman on the grounds which I have already stated to the House. I think it unjust, ungenerous, and unwise; and I think that the House will regret the day that they adopt or sanction that Resolution. With respect to the two Amendments before the House, I confess that the question is really assuming too trifling a character. Between the hon. and learned Gentleman the Member for Wolverhampton and ourselves there is a clear case of difference. He has asserted his opinion in a way which is most injurious to us, and in a way which I think, as a matter of general policy, is unwise. To such a Resolution, therefore, I shall give my unhesitating opposition. But, with respect to the Amendment which has been suggested by the noble Lord, I confess, that although I may have that parental fondness which has been already confessed in the debate, I cannot feel that I should be justified in opposing the general feeling of the House in any respect whatever. In the noble Lord's Resolution there may be expressions to which I might demur; there may be expressions in it which I might regret to see placed on the Journals of the House with my individual responsibility and sanction; but, after all, that is a mere fighting about words, and not about facts. There is no difference of opinion between the noble Lord the Member for Tiverton and the Government respecting the fact that the country has adopted in an unequivocal manner the system of free trade; and I must say that nothing surprises me more than the deep regret which some hon. Members opposite show that the country has adopted that system. It seems always to occasion them irritation that the question does not still remain an unsettled question, to divide the House as before. I believe that there is no difference between us with respect to facts; that it is a mere question of phrases; and I certainly shall not oppose the general feeling of the House as regards any preference they may have for the Amendment of the noble Lord over that of the Government. That is a question of very minor importance. The real question before us is, whether the hon. and learned Member for Wolverhampton and his friends are to outrage the feelings of this side of the House, and of many Gentlemen on the other side, by a course which I think—totally irrespective of personal feeling—is most impolitic and unwise.

LORD JOHN RUSSELL: I hope, Sir, notwithstanding some parts of the speech of the right hon. Gentleman the Chancellor of the Exchequer, and the tone of his concluding observations, that the House may yet be able to arrive at a decision on this subject which will, at least, include the great majority of the House, and settle the important question which has so long been in dispute between what is called "Free Trade" and what goes by the name of "Protection." I shall not now enter into the early part of the remarks of the right hon. Gentleman as to whether the Government are or are not properly a Protectionist Government—whether they came in on the ground of Protection, or were at all bound to adhere to the system. I hope, Sir, there may come another day when I shall have an opportunity of expressing my entire dissent from the statements of the right hon. Gentleman. But this is not the time to do so. It has appeared to me that when this Parliament was assembled, it was desirable, in the first place, that some decision should be come to on the great question of commercial and financial policy on which the country has been so long divided; and that, in the next place, it was desirable that those who had made themselves the peculiar advocates, and styled themselves the sole defenders, of the interest which had been affected by recent legislation, should have a full and ample opportunity of laying before this House and the country the measures which they consider will repair any evils which may have been done, and at the same time conduce to the general interests of the country. These two principles have guided my conduct since the commencement of the present Session. I own that with respect to the first of them it appeared to me that a great mistake had been made by Her Majesty's Ministers in not advising Her Majesty in the Speech from the Throne to make a clear and explicit declaration upon the subject of Free Trade. I quite agree with the right hon. Secretary of State for the Home Department in the general prudence, on ordinary occasions, of not giving advice to the Crown to allude in the Speech from the Throne to questions and topics which may immediately excite debate. But, Sir, this is no ordinary occasion. This is a great and extraordinary occasion; and, whatever might have been the previous opinions—whatever might have been the views of Her Majesty's Ministers, I think it was a duty which they owed to the people of this country to advise Her Majesty to place upon record in the Speech from the Throne a decision upon the question, whether or no the commercial policy which has now been in existence for the last eight years, was to be maintained and extended, whether it was to be reversed, or whether it was to be altered. Sir, I am confirmed in this view by the course the right hon. Gentleman has taken, because there is no question now as to whether it was wise or not to have an abstract Resolution. The right hon. Gentleman himself has proposed a Resolution in regard to our commercial legislation, and has thus, as it were, introduced a sort of supplement to the Queen's Speech, supplying what was deficient in that Speech. My opinion is, that those who sit on this side of the House, and all those who have taken an interest in this great question of Free Trade, showed remarkable forbearance in not moving an Amendment to the Address in answer to the Speech from the Throne. The terms of the Speech I hardly ventured at the time to criticise with the severity which I think they fairly provoked, because I felt that it was desirable to avoid a division upon the Address, in consequence of the melancholy occasion which was adverted to in the first paragraph of the Speech. I think, however, that if any hon. Member had pointed out in all their force the deficiencies and obscurities of that part of the Speech which adverted to this subject, it would have been almost impossible that some hon. Gentleman would not have said, "We cannot separate without an Amendment to such an Address. Now, the Speech, after stating, among other things, that certain important interests had been affected, proceeded to say that this House was not only to consider whether or no those interests might be relieved from the effects of the unavoidable injury which had been inflicted upon them, but that we should also consider whether we could enable the industry of the country to meet the unrestricted competition to which Parliament, in its wisdom, had subjected it. Why I hold, Sir, in the first place, that the industry of the country—taking it in its large and general sense—is fully able to meet competition, and has never been so able to do so as it is at the present moment; and the slightest reference to any official documents will show what is the state of the industry of the country in that respect. In fact, if it were not able to meet the existing competition, that prosperity of the working classes which is admitted on all sides could not possibly exist. But I say, further, that if the industry of the country could not meet unrestricted competition, it is impossible for you to enable it to meet such competition; and that the Parliament which had subjected the industry of the country to a competition which it could not meet should not be described as a wise Parliament, but it should be said that Parliament, in its folly, had submitted the industry of this great country to a competition which it could not successfully encounter. Such were the obvious defects of the Speech, and I repeat that I think great forbearance was shown by hon. Members in abstaining from moving any Amendment. It was not, therefore, I think, surprising that some hon. Gentleman should immediately bring forward a Resolution on the subject; and no one was so much entitled to be heard with respect in this House on such a question as the hon. Member for Wolverhampton. My hon. Friend gave notice of a Motion on the subject. The right hon. Gentleman the Chancellor of the Exchequer says that Her Majesty's Ministers were disposed to accept the Motion when they heard it; and that immediately on their acquiescence becoming known three odious epithets were added to the Resolution. Now, I must say the fact is—and it is a fact within my own knowledge—that the very first suggestions made to my hon. Friend upon the subject all contained the words "wise and just," as words fit to be introduced into the Resolution; and I myself was one of those who, long before the meeting in Downing-street which has been noticed, advised my hon. Friend to put the words "wise and just" into his Resolution. It appeared to me that, Parliament having sanctioned this legislation, the principal act of all those by which the condition of the country had been improved was a wise act. I also consider that the epithet "just" was equally applicable to these measures. The epithets are said to be "odious." I cannot conceive why they should be regarded as odious. The existing commercial system was established by an Act of Parliament, and are we to declare that Parliament was unjust in carrying such an Act? I certainly never shall consent to such a declaration. But, besides this, I have in mind, and I dare say others have in mind, and that my hon. Friend the Member for Wolverhampton had in mind, that which was so properly and so honourably said by as honourable a Member as this House contains—the noble Lord the Member for North Leicestershire (the Marquess of Granby)—that if the Act of 1846 was a wise Act, some tribute is due to the memory of that illustrious statesman, who in the debates upon that measure, when it was passing through this House, and in his last words with respect to it, enforced the justice of that Act above all other considerations. Well, it appeared to be thought, however, that although this epithet was not an odious one, still its use would raise a controversy and a doubt and hesitation on the part of some of the free-traders in this House, which I think it was not desirable to create; and, therefore, when my right hon. Friend the Member for Carlisle (Sir James Graham) showed me the words that he had drawn, I said I thought that those words, with the addition which I ventured to suggest, were fully sufficient, and answered the purpose which I conceived we ought to have in view. I thought that, on the one side, the words would be sufficiently explicit, and that, on the other, they would not give any unnecessary offence. I proposed to add the words "with respect to the consideration of future measures," in order that it might be clear that the proposed Motion was not a vote of want of confidence, because I thought that, if a vote of want of confidence was to be proposed, it ought to be proposed directly, and not by a side-wind. My hon. Friend the Member for Wolverhampton was, of course, the person to decide upon the various suggestions he might receive, and he thought, upon the whole, that those considerations which I have already mentioned in favour of calling this "a wise, just, and beneficial measure" preponderated, and he placed his Resolution in that form upon the table of the House. The question was thus fairly before the House, and the right hon. Gentleman the Chancellor of the Exchequer placed his Resolution upon the table as an Amendment. I own it appears to me that the Resolutions he has proposed are so equivocal—falling so far short of the length to which any Resolutions should go—that they would leave it hereafter a matter of dispute whether the Act of 1846 was not an Act of injustice and folly—a measure the injustice of which we should remedy as soon as we can, and the folly of which we should attempt to correct, by reversing the system as soon as popular opinion would allow us. I think the right hon. Gentleman's Amendment so much open to such as interpretation that I, for one, could never consent to its substitution for the words proposed either by the hon. Member for Wolverhampton or by the right hon. Member for Carlisle. The question, Sir, however, is one between Free Trade and Protection. The right hon. Gentleman the Chancellor of the Exchequer the other night accused me of audacity in saying that such was the question; but still that is the question to which my mind is turned, and to which the mind of the country is turned. The right hon. Chancellor of the Exchequer thinks the only question is whether he should continue to hold office. [*Cries of* "Oh, oh!"] The right hon. Gentleman accused me of audacity for saying that this was a question of Free Trade or of Protection. I say that is the question for the Representatives of the People in this House to consider. Hon. Gentlemen opposite are not indignant at my being accused of audacity; that does not offend them; but that the Chancellor of the Exchequer should attach any importance to holding office is a suggestion which they cannot bear to hear. I think, however, that the Chancellor of the Exchequer said this was nothing but a question between those who sit on this side of the House and Her Majesty's Ministers, and whether hon. Gentlemen opposite, by their conduct during the last five years, are bound or not to support Protection. Now, I say that is not the question. If the debate should continue, I may make some comments upon the right hon. Gentleman's statements upon this subject; but I do not hold that that is at all the question. An occasion may arise when we can discuss that subject; but the question now before us is one large enough to hide out of our sight anything behind it—namely, whether that great system of commercial policy which the late Sir Robert Peel from 1842 to 1846 proposed and carried, and which we carried on from 1846 to 1852, in the shape of the Sugar Duties and the Navigation Laws, is, as a whole, a system beneficial to the country, and which ought to be persevered in, maintained, and extended. Now, I say it is desirable that all those who are of that opinion—all those who think it is a beneficial system—should unite, if possible, in one vote for the assertion of that doctrine. Don't tell me that what you are pleased to call abstract Resolutions are of no importance. Why, Sir, the stability of our currency has stood upon these abstract, or rather not abstract, but practical, Resolutions. When the currency was defaced in the reign of William III., in 1696, the Ministers of the Crown came to the House of Commons, and said they would not change the standard of value of the gold and silver coins of the realm in fineness, weight, or denomination. From 1696 to the time of Mr. Huskisson, that Resolution regulated and prescribed the laws with reference to the currency. Mr. Huskisson, when a question arose about the currency, got the House of Commons to reaffirm that Resolution. Other questions about the currency were raised when Lord Althorp was Chancellor of the Exchequer, and he proposed and carried the same Resolution; so that from 1696 to 1852 the stability of our currency may be said to have stood upon that Resolution, and on the firmness of Parliament in adhering to that standard. Why, then, Sir, should it not be the case that after a dissolution of Parliament—after the opinion of the country has been fully taken—we should solemnly decide what is to be the general policy of the nation? and why should it not be the case that the Resolutions we may adopt should control and govern the commercial policy of this country for generations to come? Why should it not be the case that that great country which was alluded to the other day—the United States of America—which has recently chosen by an immense majority a President known to be favourable to Free Trade—why should not that country unite with us in promoting such a policy, so that these two great States of the same race, and governed by institutions very nearly similar, may make this great principle of Free Trade the rule of the intercourse of nations throughout the world? Such is the issue which this contest is to decide, and not that petty issue which the right hon. Chancellor of the Exchequer has put before us. Then, if I may venture to give advice to my hon. Friend the Member for Wolverhampton, it is, that, as the Chancellor of the Exchequer has declared, though not in very gracious terms certainly, his willingness to substitute for his own Resolution the Resolution which was first drawn out by my right hon. Friend the Member for Carlisle (Sir J. Graham), and which was placed on the table of the House by the noble Lord the Member for Tiverton (Viscount Palmerston), that my hon. Friend (Mr. C. Villiers) should declare likewise his willingness to accept that Resolution, and that all those in this House who are in favour of Free Trade—whether they are like my hon. Friend the Member for Wolverhampton, or like my hon. Friend the Member for the West Riding of Yorkshire (Mr. Cobden), and other hon. Gentlemen, free-traders of very long date, or whether they date from 1842 or 1856, or whether they date from the month of November in the present year—whatever may be the date of their Free-trade professions, should unite, and that they should give to the Resolution the stamp of the authority of the British Parliament.

Mr. COBDEN: Sir, in the early part of this conversation, I felt considerable difficulty to comprehend what was the tendency of the remarks of some of the speakers, and it was only by degrees that I arrived at a full understanding of what is the question at present at issue. When I listened to what was said by the noble Lord the Member for Tiverton (Viscount Palmerston), and other hon. Members, about behaving in a gentlemanly way to each other, and coming to a unanimous agreement on this great question, I was almost for a moment unconscious of what really was at issue between us; but the speech of the right hon. Baronet the Member for Carlisle (Sir J. Graham), and the remarks of other speakers, have completely developed what we are now discussing and disputing about. It appears that a Resolution prepared by the right hon. Baronet the Member for Carlisle, which contained a phrase asserting that the free-trade measures which had been passed since 1846 had not had the effect of inflicting injury on any great interests—a phrase inserted, as the right hon. Gentleman now distinctly tells us, to meet any claims for compensation by certain interests, and to bar all claims by asserting that no injury had been done to important interests—it appears that this Resolution, by what means we have not heard, dropped into the hands of the noble Lord the Member for Tiverton; and that he—taking this Resolution, and cutting out that important passage asserting that free trade had inflicted no injury, and, therefore, no compensation was called for—and having dispossessed the Resolution of that all-important phrase, it somehow found its way to the Carlton Club, and there, at a meeting of the Protectionist party it was resolved unanimously that they would accept this Resolution. ["No, no!"] Oh, not unanimously? ["No!"] Well, then, it seems we are not going to be that happy family which is so much desired. It appears that we cannot manage this matter in this drawing-room, gentlemanly fashion. I admit the excellent tone, and to a great extent I admit the soundness and the sufficiency, of the Resolution drawn up by the right hon. Baronet the Member for Carlisle; but it seems to be assumed by the right hon. Gentleman the Chancellor of the Exchequer, that those whom he is pleased to call the free-trade party had agreed to that Resolution, and then, after finding that the Carlton Club and Downing-street— ["No, no!"] Not the Carlton Club, then, but Downing-street, for it seems the Carlton Club are not free-traders yet, and that the Reform Club and the Carlton Club are not shaking hands yet—after finding that at a meeting in Downing-street, that place which was once called a barracoon when hon. Members were summoned there—it was resolved, though not unanimously, that the Protectionist party would endorse that Resolution, that the free-traders afterwards infused into it three odious epithets, with the view of preventing a portion of that body from adopting it. Now, I beg to say, and I think it is no presumption on my part in doing so, on this question, that it might not be unreasonable to expect that, before a Resolution had been adopted by the free-trade party, I should have had the perusal of it. I can say this, I never saw that Resolution before it was handed to the Carlton Club or Downing-street. I never read that Resolution, and I was no assenting party to it. I was from the first of opinion that, whatever the phraseology, the Resolution should affirm the justice and wisdom of the policy of 1846. I have always said, "Affirm its justice and its wisdom, and I will not quarrel with you about the phraseology of the Resolution." We therefore stand in this position: you have adopted, at least a majority of you have adopted, a Resolution, from which you have expunged the assertion of the justice and wisdom of the policy of Sir Robert Peel, and erased that phrase which bars you from compensation. That question of compensation has assumed immense importance since this discussion arose, because we have the evidence of the right hon. Gentleman the Chancellor of the Exchequer, which the noble Member for North Leicestershire (the Marquess of Granby) has elicited, that in the Budget which he is preparing there are measures to ameliorate the condition of the agricultural classes. He has told us that the policy of 1846 was injurious to the interests of the landowners, and he is prepared to apply remedial measures. What does the hon. Baronet the Member for the Tower Hamlets (Sir W. Clay) say to that? The last time I met him was on the platform of the Free Trade Hall at Manchester. I never knew any one who had gone through the ordeal of standing on those boards in any danger of being seduced in this House. Least of all should I have supposed that the hon. Baronet would nibble at a bait deprived of half its goodness and virtue. If the hon. Baronet had the whole Resolution of the right hon. Gentleman the Member for Carlisle, there might be something to excuse him; but to take the bait, after it was modified, at the hands of the noble Lord the Member for Tiverton admits of no excuse. I am astonished at the hon. Baronet the Member for the Tower Hamlets not having had more sagacity. We have certainly been talking over matters without much reserve, and it seems to have come out in the course of this discussion, that there has been some little dexterity used in framing the right hon. Baronet's Resolution, in order to meet the difficulties of the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone). It seems that with the right hon. Gentleman the Member for the University of Oxford, who on one occasion did vote with the right hon. Gentleman the Chancellor of the Exchequer, on a Motion for compensation, it was feared some scruples might arise, and this Resolution was so framed that, whilst it should bar prospective compensation, it should not shut out the Protionists from retrospective compensation. It bars compensation for future free-trade, but leaves the door open for compensation for past free trade. That reduced to plain common sense—the test by which I would try everything—means compensation for corn and cattle, but no compensation for butter and cheese. I think the right hon. Gentleman, if he applies his mind to this question, will find better reasons to alter his judgment, than to abide by a precipipate vote given on a former occasion. I think if he compares the actual condition of things now with what they were in 1849, he will find novel arguments, which are every day developed, for asserting that no great interest has been affected by the change which has taken place. I will just allude at this point to the question, whether we are to give compensation at the expense of the taxpayers for the measures already passed; because if you admit that principle, then I say we have gained nothing, because it will be very easy for you, if you are determined to take money out of the pockets of the people in any other way, it will be quite as easy to do so by way of the taxgatherer as by Protection. I myself will undertake to abolish Customs Duties, and to put down the Excise, and yet to levy a tax which by its incidence shall inflict greater injustice, and produce greater miseries, than a revival of Protection. I beg you not to dally with this question. You say because a majority of the House is ready to affirm principles contrary to your views, you are ready to make your bow. Now we do not bow to majorities—and I give hon. Gentlemen warning, that if they raise this question of compensation in the shape of taxation, you are beginning a struggle which, if my past consistency be any warrant for truth-telling, I will venture to say you will find just as disastrous as that through which you have passed. What I am most anxious to do is this—I am not going into, nor do I wish to go into, the question, but I want to bring this House to a vote to test the question whether, after the dissolution, we stand in as good a position as we did before; for in the last Parliament, not only did we affirm the free-trade policy to such an extent that no one could be found to impugn or dispute it, but in two instances, when the right hon. Gentleman the Chancellor of the Exchequer brought forward Motions to give compensation—that was the meaning in which they were understood by the country—the late Parliament on each occasion in a very large House refused compensation. Now I want, as early as possible, to have a division to know the starting point; and after the elections—after the turmoil in which the country has been placed by those elections—after the scenes of extravagance, riot, and corruption by which we are told the country has gained a great triumph—to see whether we stand in as good a position as we did before. Now, let us bring it to a test. We have a question pure and simple submitted to the House, and therefore I entreat my hon. Friend the Member for Wolverhampton (Mr. C. Villiers) that he will not shrink from the Resolutions he has moved, that we may at once go into the discussion of the main question, and get a division, when, in the result of that division, we shall know what is to be the work of free-traders in future.

MR. NEWDEGATE acknowledged the distinct manner in which the hon. Member for the West Riding of Yorkshire expressed his views at all times; but the hon. Member did not always make the same statement with respect to the same circumstance in two different places. The hon. Member for the West Riding said, that whatever might be the issue which the House wished to try, the issue he wished to try upon the Resolution of the hon. and learned Member for Wolverhampton was, whether the claims of those who held themselves to have been injured by recent legislation should or should not be considered. He (Mr. Newdegate had been tolerably consistent as a Protectionist, and perhaps, in some degree, he represented the Protection societies, and he believed he was correct in saying of those with whom he had acted, that they acknowledged the decision of the country to be against protection. They believed that the question had not been decided by those to whom he addressed himself, but by circumstances, to which, however, he did not intend then further to allude. Acknowledging that decision, those with whom he acted were determined to see whether the present Government would not consider the injuries, the pressure of which they knew to exist. If this House were pleased to affirm a simple free-trade Resolution, he, being a Protectionist, but acting on a conviction that the majority of the country had declared in favour of free imports, would take no part till he saw whether measures for relief would be proposed by Her Majesty's Government. The hon. Member for the West Riding adverted to the presence of the hon. Member for the Tower Hamlets at the Free Trade Hall, at Manchester. It was well known that the hon. Member for the West Riding was the most successful demagogue of his day, with good will, he (Mr. Newdegate) believed, to become an autocrat. The hon. Gentleman had given them at that meeting the means of knowing how the present Resolution was to be interpreted; for the hon. Member told the people at Manchester what was the interpretation they should place on the votes of any Protectionists who should vote for such a Resolution as that proposed by the hon. and learned Member for Wolverhampton. He (Mr. Newdegate) had constantly endeavoured to do his duty as a Protectionist, and the *Times* newspaper asked what he had gained by it? He had gained nothing but hard labour; but he had secured his honour—he had secured the respect of honest men; and, after the House had heard the words he was about to read, he should ask hon. Members to consider what would be his position if he voted for the Resolution of the hon. and learned Member for Wolverhampton? Let the House judge from what was said at a meeting summoned by the hon. Member for the West Riding, preliminary to the discussion of this very question now brought before the House, on the Resolution of the hon. and learned Member for Wolverhampton. The hon. Member for the West Riding said—

> "I think we are fairly entitled to say this, that whatever else the men may be, we insist upon having a free-trade Administration; and when I say a free-trade Administration, I mean a body of men, if they are the men now in office, who shall distinctly and emphatically repudiate all the doctrines they have been promulgating in their past lives upon this great question. We have seen that done before by greater and better men than they. . . . But it (their recantation) must be emphatic. They must say that free trade does not lower wages. They must say that free trade does not cause a drain of gold from this country. They must say that free trade has not thrown land out of cultivation in this country. The must say that the land of this country is still worth something."

Who had denied it?

> "And they must say that wheat—good wheat—has not been imported into this country, and cannot be, at 24*s*. per quarter?"

Who ever said that?

> "Those are a few things they must say, when they said the very opposite before; and we must have no accompaniment about compensation. Compensation! Well, but I deny that there has been any loss. I boldly declare, and challenge the adversary to deny it, that the value of land in

> this country—agricultural land—taking one acre with another, is greater now than it was in 1844."

That is, before the repeal of the corn laws. The hon. Gentleman seemed to have felt that he had overstrained the credulity of his audience, and went on to speak about compensation. He (Mr. Newdegate) rejoiced that the Government had resolved to resist the proposition brought forward by the hon. and learned Member for Wolverhampton. They were bound, as men of honour, to resist it, unless they were prepared to turn round upon and condemn their whole previous conduct. If they did resist this Motion, they should have his vote; because, of all circumstances that were to be lamented in 1846, he had most lamented the shock which had been given to public confidence in public men by the Government of the late Sir Robert Peel on that occasion. If a second Conservative Government, by any similar act, gave a similar shock to public confidence in public men, it would do more to subvert the institutions of the country than the worst efforts of the wiliest democrat. The noble Lord at the head of the Government took the only means by which to bring this question between the farmer and the present commercial legislation to a legitimate solution, when he submitted it to the decision of the country. He (Mr. Newdegate) would not dispute any Motion merely affirming free trade, so far as the present Parliament could command the future legislation of the country. In deference to the decision of the country, he should wait, because he wished to reserve his opinion until he should see whether justice was to be done to the classes which had been injured. He had not thought fit to let the speech of the hon. Member for the West Riding pass without noticing the gloss which that hon. Gentleman had put upon the question at issue. The question which the House had really to decide was, in fact, according to the hon. Member's formal declaration at the meeting in Manchester, which was preliminary to this Resolution, not whether compensation should be given, but ther cer the character of public men should wheth ntained.

Mr. GLADSTONE said, he rose to explain a misunderstanding into which the hon. Member for the West Riding (Mr. Cobden) had fallen. The hon. Member seemed to think, and of course thinking so he could not help resenting it, that there was some connexion between the vote given by him (Mr. Gladstone) in 1850, and the framing of the Resolution. He begged to say there was no such connexion. He would not at that moment discuss the grounds of that vote, but he considered he approached the question of compensation or relief with hands entirely free. The opinion he had formed was, that in framing the Resolution, certain general principles should be declared—principles which he had endeavoured to state to-night in the plainest terms he could command.

Mr. STAPLETON said, as a Member who had never sat in Parliament before, he owed no allegiance to any one, and he was as willing to vote for a Resolution of the right hon. Gentleman the Chancellor of the Exchequer as for a Resolution of the hon. Gentleman the Member for Wolverhampton (Mr. C. Villiers). In a proper and logical way, taking the Resolution of the hon. Member for Wolverhampton first, he had to consider whether he could conscientiously support it, and whether in supporting it he should be carrying out those views he had professed upon the hustings—whether he should be fulfilling the promises he had then made, and answering the expectations of those who sent him. The constituency he had the honour to represent had sent him there in preference to a gentleman who had sat on the opposite (the Government) side of the House, and who had declared himself a free-trader as fully and as frankly as the right hon. Chancellor of the Exchequer had done; but he said nothing on the point of compensation, and because he said nothing on that point the constituency would not re-elect him. He marked between these two Resolutions a very great distinction, which had not yet been noticed, and it was this—that whilst Gentlemen of the Manchester school regarded the question from one point, as consumers, and as the great mass of the people regarded it, those on the Ministerial side of the House regarded it from another point, as producers, subjected to unrestricted competition. The question presented different aspects, according to the point from which it was viewed, and in choosing between them he confessed he preferred that aspect in which it was regarded by the great body of the population, rather than that in which it was regarded by particular men. He understood from the speech of the right hon. Chancellor of the Exchequer, that it was the intention of Her Majesty's Government to grant some kind of compensation for this unrestricted competition. Now, he said unrestricted competition with compensation at the expense of those who were to have the advantage of it, was no Free Trade at all. If they gave the people Free Trade, only on condition that they paid for licence to enjoy its advantages, it was not Free Trade. In conclusion, he begged to observe, that it struck him that no decision could be come to with unanimity which would satisfy free-traders in the country, because the people would not believe that those who till now had been united against Free Trade, were as anxious for it as the hon. Gentlemen who composed the Manchester school.

Mr. C. VILLIERS: I rise, Sir, in consequence of the call which is now made upon me; but, as the old Members of this House must know, I have, as having already moved the Resolution, but small discretion in dealing with it now. I was summoned to this House to-day about half an hour before it met, by a letter from the hon. Member for the Tower Hamlets (Sir W. Clay), who said that he had some very important communications to make to the House, as well as some questions to put in which I might be interested; and he begged that I would be in my place. Well, I came, accordingly, and having heard that the object was for me to withdraw the Resolution, I have been listening for some time to hear some reasons assigned by him or by anybody else, why I was to do so, and accept the Resolution of the noble Lord the Member for Tiverton instead. Now, Sir, I think there is no doubt that I am the mover, though I am told that I am not the author of this Resolution. Although I have not, it seems, the honour of its paternity, I have the liability of its support, and that I am willing to accept and to vindicate. Now, Sir, my statement on this matter will, I am afraid, be different from those that have preceded it, for it will be very simple. My purpose has been very simple throughout this matter, and that is, perhaps, why I cannot understand the new views that I hear to-night, and why I cannot understand some Amendments which have been proposed. On this side, if I am not mistaken, there was a general agreement as to the propriety of the Motion; and my right hon. Friend the Member for Carlisle (Sir J. Graham) has, in a very friendly spirit to myself, stated that there was also some propriety in my being the mover. It was then agreed upon, that I was to submit a Resolution on the subject of Free Trade to the House. Well, Sir, I had to ask myself what was the purpose and the occasion of such a Resolution. I think that I state the general opinion on this matter correctly to be, as looking to the purpose of the late dissolution, and to the verdict on the subject of free trade given by the country, that there was not explicitness enough in the Queen's Speech, or clearness enough on the part of the Government, to satisfy the opinion of the House or the country on the subject—that the verdict upon the question which the First Minister had submitted to the country should be solemnly recorded by this House. The opinion of the country was taken upon the question of our recent commercial policy, and that has emphatically been, that this policy has produced great advantages, and improved the condition of all classes, especially the industrious classes, and that it was wise, just, and beneficial. It was my object to introduce these views into my Resolution, and I have done so; I have farther done what I believe the country has as much at heart, declared that this policy should be extended as well as maintained. It then proceeded to affirm the distinct and positive principle, that it was the opinion of the country that it should be further extended and maintained, as being to the interest of all classes, and the best mode of promoting the welfare and contentment of the people. The Resolution so drawn was submitted to many Gentlemen on this side for their approbation, and they considered that it was in accordance precisely with the views that ought to be expressed. The Resolution was drawn in the spirit which I have stated, and no other whatever. That Resolution was framed for no other earthly purpose but that. I had instructions, if I may call them so, to draw up this Resolution, and to submit it to the House. I do not deny that a great number of Gentlemen did favour me by sending suggestions. They all embodied the views which I have expressed, and seemed to have no other object but my own. I had no less than ten or twelve Resolutions sent me, and every one of them, without exception, expressed an opinion that recent legislation had been wise and just. I venture to say it never entered the mind of a human being—certainly, I venture to say that nothing would surprise the public at large more than to hear that in calling that legislation wise, just, and beneficial, it was designating it by three odious epithets. The right hon. Gentleman the Chancellor of the Exchequer has alluded to the very open way in which the proceedings of different parties in this House are communicated to each other; but I must say that there is some danger in that kind of openness, because the right hon. Gentleman has been induced by it to trust to information of the most unfounded kind. The right hon. Gentleman stated distinctly that he had it as an undoubted fact that the three odious epithets—"wise, just, and beneficial," were introduced the moment after it was discovered by the Mover or his Friend that the meeting at Lord Derby's consented to acknowledge the principle of Free Trade. I acquit the right hon. Gentleman of any intentional misrepresentation; but I should not be doing justice to myself or my friends, did I not give the most complete contradiction to that statement which it is possible for me to give consistently with Parliamentary language, because it is most undisguisedly and unequivocally untrue. My noble Friend (Lord J. Russell) has stated to the House, that, in drawing up a Resolution on the subject several days before the meeting at Lord Derby's, he also inserted these offensive words. I have said that every other Resolution that was sent to me contained these words; and I will say, further, that this Resolution that I have moved was not altered at all after the meeting in question, it having been agreed upon before; and at this moment I don't know whether it is because I was never in diplomacy, or that I am not in office, or that, perhaps, according to the new rule, that I am not a gentleman, but I cannot understand what there is offensive in these words. I don't know how such a construction can be put upon them. It is the truth, and an opinion generally formed upon experience of the policy. If hon. Gentlemen have been in error, they must take the consequences, and allow that measures that they thought would be hurtful have been the contrary. A confession of error is rather humiliating, perhaps; but Gentlemen who have enjoyed the very highest degree of respect in this country have not been ashamed to avow that they have been in error, and there is no reason why they should. I cannot see what there is offensive in this Resolution, unless there is something ulterior which these words interfere with, but which I know nothing about. Certainly, one would not have thought it odious that this language should be applied, after hon. Gentlemen had admitted that they were mistaken in objecting to the Free-Trade policy, but are now ready to adopt it. I wish this could be explained. It was not the intention of anybody in using these words. Why is that construction to be put upon them? It must have some bearing on their ulterior projects which they do not see fit to disclose to the House. As I have before said, I proposed those Resolutions for the simple purpose of recording the opinion of the House. I believe that they express what was the opinion of the last—I believe that it is the opinion of the new—Parliament; and I believe it is the opinion of the country at large, that the recent legislation was wise, just, and beneficial; and they wish to have it so declared by their representatives. And if Gentlemen opposite did not think so before, experience ought to justify them in concluding that it is so now. I was surprised to hear the hon. Gentleman the Member for Berkshire (Mr. R. Palmer) declare himself proof against experience. "Don't tell me," said the hon. Member, "about the country having flourished under Free Trade, or about experience. I have been in this House for twenty-five years, and during that time all the great men have at some time declared against the adoption of Free Trade." Why, such a rule of action would shut out all improvement; we all of us here profit by experience every day, or ought to do so. I do not deny that some Gentlemen who supported Protection may have done so from a conscientious but, however, erroneous belief, that it was the proper policy to pursue; but why should they now hesitate to declare that, although they believed its effects would be most disastrous to the country, they find it has been just the contrary? We hear much of recent and sincere conversions; but I own that the specimens of these kinds of conversions have not been so apparent to me. If those conversions are genuine, it is indeed a marvel how those words in the Resolution can be incompatible with the honour of Gentlemen opposite. Since this conversation began, as far as I have heard, the declarations of hon. Members opposite do not go beyond that of the hon. Gentleman the Member for the North Riding (Mr. Cayley), who assures the House that he will never do again that which it is impossible for him to do, and restore Protection; but they don't say they would not if they could, or that they think themselves wrong; and with respect to many Gentlemen on the other side, I do not think there are any symptoms at all of despair as to the ultimate triumph of their views. They admit themselves to be under difficulties at present; but give them time, and they do not at all abandon the question of Protection. Are we, then, to be tender about their consciences, or their particular position with reference to this question? and am I, in my connexion with this subject, to consult the views of Protectionists? Why, I never thought of drawing up a Resolution to please hon. Gentlemen opposite; I had no such intention. My idea was that there was a majority in this House in favour of Free-Trade policy, and a minority against it; and if the Ministers of the Crown had been really Free Traders, they would probably have declared themselves so in the Speech from the Throne, or have made it quite obvious to the House that they were honestly in favour of this principle. It is because there is evidently yet a serious difference of opinion upon the success of the Free Trade policy, and because the majority feel bound to declare their opinion, that I have proposed this Resolution, and that I now feel bound to adhere to it as truly and simply declaring the opinion of the country.

Sir WILLIAM CLAY said, that he had been called upon to state the reasons why he had asked the hon. Member for Wolverhampton (Mr. C. Villiers) and the right hon. the Chancellor of the Exchequer to withdraw their respective Motions, so as to admit of the Motion of the noble Lord the Member for Tiverton (Viscount Palmerston) being adopted. He would reply to that call. But, in the first place, he wished to set right an inaccuracy in the speech of his hon. Friend the Member for Wolverhampton. The hon. Gentleman said that he (Sir W. Clay) sent him a note half an hour before the House met, in which he did not specify the nature of the question which he was about to put to him. On the contrary, he had himself left the note at twelve o'clock at a place where he understood the hon. Gentleman's letters were generally left, and in that note he told him that he would suggest that the hon. Gentleman should withdraw his Motion, and adopt as a substitute the Motion of the noble Lord (Viscount Palmerston). Now, if he (Sir W. Clay) wanted any justification for putting that question, he should find it in what had passed during the debate, because a very large proportion of the leaders of parties and most prominent Members of the House had declared that it would be the better course to accept the Resolution of the noble Lord, in preference to the Resolution of his hon. Friend. That had been declared by the noble Lord the Member for London (Lord J. Russell); it had been declared in substance by the right hon. Baronet the Member for Carlisle (Sir J. Graham), as well as by the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone). It had been assented to by the right hon. Gentleman the Chancellor of the Exchequer, and assented to, as he (Sir W. Clay) distinctly understood, with the addition of the words on which his hon. Friend near him laid so much stress. He thought it strange that he should be asked, after this all but universal consent, why he should object to the Motion of his hon. Friend. He would tell him, however, why he objected to it, and why he thought it could not have the effect which his hon. Friend desired and anticipated from its adoption. He objected to it, because, instead of merely affirming the justice of a Free-Trade policy, it insisted on the humiliation of the large party opposite. He (Sir W. Clay) wished, for his part, to obtain the widest possible assent of the House to a declaration that the policy of Free Trade was to be the policy of the country. He was therefore persuaded he was doing right in endeavouring to stop the debate, because it appeared to him to tend to no useful purpose—that its only effect could be to widen existing differences of opinion, to embitter feelings of irritation which we ought rather to seek to soothe and to allay, and thus to alienate those whose union it was desirable to promote for the general welfare of the country. Did his hon. Friend near him doubt his (Sir W. Clay's) devotion to the principles of Free Trade? He did not believe that any man would venture to doubt it. Nine years before the year 1846, he proposed a Resolution for the repeal of the corn laws; indeed, if he recollected rightly, his hon. Friend the Member for Wolverhampton commenced the career in which he had so honourably distinguished himself by seconding that Resolution. His objection to the Motion was, that it called on a great party to admit, in terms, that a particular measure which they opposed, was, at the time they opposed it, "just, wise, and beneficial." That was a humiliation which it was neither wise nor generous to attempt to force upon men of honour, and to which it could not be expected that they should submit. What was the course taken by men of good sense and kind feeling in private life? If they found persons with whom they were engaged in pursuit of some common object (and had not all the Members of that House a common object—the good of their country?), and who had formerly differed with them, disposed to agree with them in opinion, and co-operate in action, did they refuse to accept their co-operation unless they would recant every word they had ever said? The noble Lord the Member for London said that it was justifiable for the House to accept an abstract Resolution. He (Sir W. Clay) had never denied it. It was because the Motion of the hon. Member for Wolverhampton made it impossible to have as large an assent as possible that he objected to it. He wanted the abstract Resolution to be carried by the largest possible majority. The difference between the two propositions before the House was this, that one asserted simply, although in the most emphatic terms, the principles of free trade, while the other was couched in terms that inflicted a feeling of mortification upon their political opponents. This was not an occasion for the indulgence of any petty personal or party triumph. He hailed with joy the accession of the great party opposite to the ranks of Free Trade, and he was very sorry that his hon. Friend had not thought fit to accede to his proposal. If his hon. Friend persevered in his Motion, and he (Sir. W. Clay) had no choice but to vote for that Motion or the Amendment proposed by the Government, he should, although with very great regret, vote for the Motion; but if the right hon. Gentleman the Chancellor of the Exchequer withdrew his Amendment in favour of the Resolution proposed by the noble Lord the Member for Tiverton, then he should vote for the noble Lord's Resolution, in preference to the Motion of his hon. Friend.

Mr. SPEAKER: I think it necessary to remind the House, that the question before the House is not the Motion of the hon. Member for Wolverhampton, but that this House do now adjourn. I will also remind them that this is a day devoted to Notices of Motion, which, by our Rules, will take precedence of the Orders of the Day; but owing to this Motion for adjournment, the House has been drawn into a discussion on an Order of the Day, instead of the Notices of Motion.

Mr. BARROW said, he was ignorant of Parliamentary tactics, but he rose to prevent mistake as to any change in his opinions. He would remind the hon. Member for Manchester (Mr. Bright), that constituencies in general did not adopt the opinions of candidates, but sought candidates whose opinions coincided with their own. This had occurred in his case: he was not returned by the overwhelming power of great landowners to aid in keeping up their rents, but because he was known to have a strong opinion as to the injuries inflicted on the farming class, who were entitled to relief from peculiar taxation as a matter of justice rather than compensation. If the change of 1846 had been injurious to them because it was hasty, it was an act of injustice, and could not come within the category of "wise, just, and beneficial." He thought with Mr. Huskisson that the right kind of Free Trade was to have moderate protective but not prohibitory duties; and that, he believed, was the only policy under which the country would prosper in future. If they were to have unrestricted competition, it should be unrestricted; all burdens should be removed from farming produce; and farmers should not be prevented from using that produce free from duty in the most advantageous manner as regarded consumption by themselves, their labourers, and their cattle. He objected to the term compensation being fastened upon the farmer, in an offensive sense; he claimed the removal of restrictions by unjust taxes and burdens.

Mr. STANHOPE said, he could not admit that the agricultural interest had suffered no injury. His county (North Lincolnshire) was a fair test of the operation of the Free Trade policy. The farmers held their land at moderate rents; they had a laborious and excellent peasantry; and if any men could have withstood the evil of free trade, those were the men who would have done it. He had seen men once independent obliged to rely for their bread on the charity of their landlords. In that county, where men received a higher remuneration than in any other, the labourers were in a far worse condition since the Act of 1846 than before. Without sufficient employment and sufficient remuneration, the cheapness of provisions was no benefit. Believing that great injury had been inflicted, he could not assent to the words "wise, just, and beneficial;" and, consistently with his duty to his constituents as tenant-farmers, he could not affirm any of the Resolutions now before the House. He was aware the question was settled by the decision of the country, and to that decision he thought it his duty to bow. The only constitutional course for a Member of Parliament, when a question was decided by the country, was to apply himself, however strong his personal feelings might be, to carry out that principle. If they were to have unrestricted competition, their industry ought not to be trammelled by any fiscal or unnatural regulation. If the soil of England was to compete with the soil of the whole world, they should be permitted to grow any crop they could possibly cultivate. He trusted that if they were obliged to accept of the principle of Free Trade, that the agriculturists would no longer be compelled to contribute so much to the revenue of the country.

SIR JAMES GRAHAM said, that under the circumstances of the case, he would ask the leave of the House to withdraw his Motion for its adjournment.

Motion, by leave, *withdrawn.*

TENANT RIGHT (IRELAND) BILL.

MR. C. VILLIERS said, that the hon. and learned Member for Kilkenny County had a Motion on the paper relative to Tenant Right, but he would appeal to the hon. and learned Gentleman to waive his right to precedence, and to allow the adjourned debate on the Resolutions he (Mr. Villiers) had proposed, and the Amendment of the Chancellor of the Exchequer to go on.

MR. SERJEANT SHEE said, the question he had to bring under the notice of the House was one of no ordinary importance. It was, indeed, a matter most important to Irish Members, and to himself, as well as to the constituencies they represented. If those constituencies could be present, and see with their own eyes what was going on, they might, however, understand the importance of the question which the House was anxious to discuss, and of the various propositions before them. If it was the general sense of the House that he ought to give way, he should be very sorry to interpose his Motion, and he was sure he would do no good to his constituents, or to the people of Ireland, in opposing himself to the strongly-declared sense of the House. But, on the other hand, if he gave up this point to the House, he thought the House ought to do something for him. He would ask the right hon. Chancellor of the Exchequer, therefore, on behalf of the Gouernment, so far to assist him as to give him an opportunity of bringing in his Bill before the right hon. Gentleman the Attorney General for Ireland (Mr. Napier) moved the second reading of the Bills he had introduced.

The CHANCELLOR OF THE EXCHEQUER said, he thought the hon. and learned Gentleman, in yielding to the general feeling of the House on a subject of great interest, had exercised a wise discretion, and he was sure his constituents would not be dissatisfied with his conduct on that occasion. He would not object to the hon. and learned Gentleman bringing in his Bill, but he was afraid that if the hon. and learned Gentleman liked to put it down for to-morrow night, which was a Government night, the debate on the question now before the House might take up the whole time. He would assist the hon. and learned Member to bring in his Bill, but he could not pledge himself to support it. He might at the same time observe that he would not be able to make his financial statement to-morrow night (Friday), as he had given notice he would.

MR. SERJEANT SHEE said, he wished to have had an opportunity of stating the principles of the Bill; but as the House appeared so anxious to resume the debate on Commercial Legislation, he would only ask permission of the House for leave to bring in the Bill.

Leave *given.* Bill read 1°.

COMMERCIAL LEGISLATION—FREE TRADE—ADJOURNED DEBATE.

Order read, for resuming adjourned Debate on Amendment proposed to Question [23rd November], "That it is the opinion of this House that the improved condition of the Country, and particularly of the Industrious Classes, is mainly the result of recent Commercial Legislation, and especially of the Act of 1846, which established the free admission of Foreign Corn; and that that Act was a wise, just, and beneficial measure:"—(*Mr. Charles Villiers:*)—And which Amendment was to leave out from the first word "That" to the end of the Question, in order to add the words "this House acknowledges, with satisfaction, that the cheapness of provisions, occasioned by recent Legislation, has mainly contributed to improve the condition and increase the comforts of the Working Classes; and that unrestricted competition having been adopted, after due deliberation, as the principle of our Commercial System, this House is of opinion that it is the duty of the Government unreservedly to adhere to that policy in those measures of Financial and Administrative Reform which, under the circumstances of the Country, they may deem it their duty to introduce,"—(*Mr. Chancellor of the Exchequer*,)—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

The CHANCELLOR OF THE EXCHEQUER: I hope the House will allow me to make a remark as to the course Her Majesty's Government are prepared to take. With respect to the Amendment which I proposed, and that which has been proposed by the noble Lord the Member for Tiverton (Viscount Palmerston), I have to say that I shall defer to what appears to be the feeling of the House. I shall not press the Amendment I have given notice of, and the question may now be taken on the Resolution of the hon. Member for Wolverhampton (Mr. C. Villiers), and the Amendment of the noble Lord (Viscount Palmerston).

MR. BRIGHT said, he wished to say by way of explanation, before the House began the debate, that in his speech the other night he had referred to the fact that the Lord Advocate of Scotland had gone as a candidate to Lisburn, and had stood for that borough under the patronage of the Marquess of Hertford. It had been stated in at least one of the papers that he had asserted the gentleman in question had gone to Lisburn under the patronage of the Marquess of Londonderry; and as he did not wish to be supposed capable of making a mistake on such an important question and matter of fact, and as he had received a letter from the son of the noble Lord (the Marquess of Londonderry), who sat in that House, in reference to it, he wished to make that statement, and to correct any erroneous impression which might prevail on the subject.

Amendment, by leave, *withdrawn.*

MR. GLADSTONE: As a matter of form I wish to observe, that I understand the Amendment of the noble Lord (Viscount Palmerston) was to be moved in case the Amendment of Government was withdrawn. The noble Lord's Amendment has not yet been moved.

VISCOUNT PALMERSTON: I intend to move— [AN HON. MEMBER: Do you move it?] Yes, I do. I beg leave to move the Amendment of which I have given notice.

Amendment proposed—

"To leave out from the word 'Country,' to the end of the Question, in order to add the words 'and especially of the Industrious Classes, is mainly the result of recent Legislation, which has established the principle of unrestricted competition, has abolished Taxes imposed for the purposes of Protection, and has thereby diminished the cost and increased the abundance of the principal articles of the Food of the People,' instead thereof."

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BOOKER: Before I proceed to discuss the important question now before the House, I will beg to assure the noble Viscount opposite (Viscount Palmerston), of the high and grateful sense I entertain of the kindness and consideration which prompted him to step forward, under motives and feelings towards this side of the House which he has so well expressed, to make the conciliatory proposition which he has made, and which has been accepted by the Government. I hope, however, the noble Lord will not receive it as any mark of public or personal disrespect, if I, and those who act with me, feel ourselves unable to assent to his Amendment. Sir, there is no Member of this Assembly more thoroughly convinced of the hollowness and unsoundness of that system of commercial legislation now attempted to be forced permanently upon us, or who is more deeply but voluntarily committed to the opposite system, to which I still firmly adhere, than I am: and, notwithstanding I escaped the lash of the hon. Member for Manchester the other night, I desire to avow this—that there is no one who more deeply deplores than I do the course which Her Majesty's Government have been compelled, or have felt it their duty, to pursue, on this question of our future legislation. The speech of the right hon. Gentleman the Chancellor of the Exchequer may have been a triumphant vindication of the Government—certainly it was a masterly exposition of the position in which the Government have found themselves placed. But in that speech there was no vindication of the course which I have openly and consistently pursued. I have been a member of that great party which has been called the Country party, which I have ever understood to have been united together by a principle, and that principle was, and is, protection to our native industry and capital. That principle, on the platform and the hustings, as well as in this House, I have endeavoured, to the utmost of my power, to maintain. I have done so, through good report and evil report, under much of obloquy, some of which I may have justly merited, but much of which I have felt was harsh, and not justly deserved. Before, then, I can consent to read a recantation, and abjure the principles of a whole life, I trust the House will grant me its indulgence, while I give my reasons for the faith which is still in me. Now, Sir, I have always understood that the system of free trade, now to be extended to free and unrestricted competition, was ushered in by a system of relaxation of our commercial tariff in the year 1842. I admit that, under the circumstances of the country, that was a wise and beneficial measure, and that great advantages flowed from it to the country at large. I will also allow, what indeed it would be foolish and idle to deny, that the years 1843, 1844 and 1845, were years of great national prosperity. Let me, however, pause here for a moment, and inquire what financial and commercial measures passed the Legislature during this period: in 1844, the Charter of the Bank of England was passed, and in 1845 those of Scotland and Ireland followed: in the year 1844 money was abundant, and as easy of attainment as it is at the present moment; the Bank of England fixed its rate of interest at 2 per cent, and advances could be had, as now, from private sources at 1¾ per cent. And now, Sir, what followed? The year 1846 was confessedly a period of the wildest speculation ever known in the annals of the country. In addition to private and joint-stock adventures of every sort and kind, railway speculations, requiring capital to the extent of nearly four hundred millions, received the sanction of the Legislature. In 1846, too, the Corn Laws were repealed; and now commenced in earnest, and without restriction, the application of the principle, and the development of the effects, of your boasted system and policy of free trade. Well, Sir, the very next succeeding year, 1847, brought a collapse in the commercial world, and a convulsion which shook commercial credit to its very centre. In the crash, mercantile and commercial capital, to the extent, I think, of upwards of fifty millions, in a few months was swept away, and many of the highest, and some of the oldest of our commercial firms were levelled to the dust. Money, wealth, prosperity, all disappeared; the Government fixed the rate of interest for advances by the Bank of England at 8 per cent, and in private transactions it rose to 12, 15, and even, under the severity of the pressure, to 18 and 20 per cent: and this was under your boasted system of free trade. It certainly was an extraordinary and unexpected retribution, that trade and commerce should have felt and staggered under the first shock. You persevered in your system, and our domestic agriculture next reeled under the blow. During the succeeding years an amount of agricultural depression was experienced never before known. Agricultural capital was swept away by millions, as we have a ready witness in the hon. and learned Mover of these Resolutions. This, too, occurred under your boasted system of free trade; and the pressure continued with increased and accumulating violence from year to year, until Providence opened to us those vast regions and stores of mineral wealth, whence have flowed, ever since, riches to an enormous extent. Providence, Sir, and not human legislation, nor any efforts or results of human wisdom, has removed the pressure, and produced these blessings under which the country is now beginning to revive; and, Sir, if the principle of protection to our native industry and capital were now prevailing—firmly maintained and prudently extended or relaxed, as occasion justified—I know of no limit within which our national prosperity would now be confined. Sir, I have felt this, and still feel it, that it is incontrovertible and true. I have endeavoured to fight the battle of protection honestly and manfully, but I am perfectly willing to admit that we have suffered defeat. I am willing to admit that Manchester has proved too strong for us. But I am of opinion, as the noble Viscount the Member for Tiverton seems to be of opinion, that, if we are vanquished and acknowledge it frankly, to require of us to abjure and surrender all the fixed opinions of our lives, and to give a flat denial, by our votes, to our own past career, is going much too far. Under the existing prosperity of the industrious classes, I, for one, have no intention to attempt to reverse or alter that policy which, after a distinct appeal made to it, the country has now unequivocally confirmed. I will give it a fair trial. My own convictions remain unaltered, and are not by force and violence to be eradicated; but the battle has been fought in the country, and I acknowledge my party to be beaten. I utterly deny, however, that it is to that policy of free trade that the improved condition of the country is to be ascribed. I wish to be accurately informed of the extent to which that metallic wealth which Providence has disclosed to us, has flowed, and is continuing to flow, into this country. I believe it to be to an extent perfectly astonishing. The discovery of these gold regions, too, has had a double effect on the condition of the country. It has opened avenues and outlets for the outpouring of a redundant population; and it is my opinion that it is to this in-pouring of metallic wealth, coupled with a vast out-pouring, in a continuous stream, of masses of our people, that the prosperous condition of the working and industrious classes, and those who employ them, too, is to be mainly attributed. This conviction, Sir, is so impressed on my mind, that I deeply regret I cannot concur in the Amendment of the noble Lord; still less can I give my assent to the original Resolutions of the hon. and learned Member for Wolverhampton. But, Sir, I feel as little disposed to embarrass the Government, in whose general policy I most fully concur. Although, then, upon the great questions of free trade and protection I lament the policy they have adopted, and the surrender they have made, and I must differ from them, yet upon all the great constitutional questions that must force themselves on the consideration of Parliament —in upholding inviolate the safety, honour, and dignity of the Crown,—in protecting and purifying the Church, in maintaining the Christian character of the Legislature; in defending our Protestant institutions in Church and State, both in this and the sister island, against that monstrous confederacy which, under the guise and watchword of religious equality, has reared its head—on all these questions of public policy they will have my earnest, zealous, and unflinching support. And, Sir, on the question of free trade, or, as it is now to be, free and unrestricted competition, they will not need my support, for if Gentlemen opposite are true to their ancient professions, of regarding measures and not men, they must command theirs. I rose, Sir, at this stage of the debate, to record my unaltered convictions on the subject of protection to our native interests; to declare my determination to vote against the Resolutions of the hon. and learned Member for Wolverhampton; and at the same time to express my deep regret, on every ground, that I cannot record my vote in favour of the Amendment of the noble Lord the Member for Tiverton.

MR. BERNAL OSBORNE said, he apprehended that the supplemental debate which they had witnessed that evening was about one of the most irregular things that had probably ever been witnessed in that House, and he should hope that the commencement of a new Parliament hon. Members would not make a precedent of a debate in which he did think the distinguished order of Baronets had not cut a very distinguished figure. Now his hon. Friend the Member for the Tower Hamlets (Sir W. Clay) was a very gentlemanly man —he was a man of very fine and sensitive feelings—and the Resolution of his hon. Friend the Member for Wolverhampton (Mr. C. Villiers) had gained upon his susceptibility. His

> . . . "native hue of resolution
> Seemed sicklied o'er by the pale cast of thought;"

but he must say, if the hon. Baronet the Member for the Tower Hamlets brought these fine susceptibilities into the House, he would be more qualified to weep over the *Sorrows of Werter*, than to discuss the principle of Free Trade. He (Mr. B. Osborne) lamented that the hon. Baronet had thought proper to put the question to the hon. Member for Wolverhampton; he lamented that the right hon. Gentleman the Member for Carlisle (Sir J. Graham) should have originated that debate, which he thought Mr. Speaker would be of opinion had been completely out of order. But what was the position they stood in at the present moment? They had no less than four Resolutions before them. No; one had been withdrawn, and there were only three. [An Hon. MEMBER: No! only two.] He believed there was a third; or else, what had become of the Resolution proposed by the right hon. Baronet the Member for Carlisle? [An Hon. MEMBER: No, no! that's gone too.] What, had hon. Gentlemen opposite swallowed that too? ["No, no!"] Oh, then, it was not moved, but was intended to be a supplemental Resolution. But, if he understood the confusion of to-night, the noble Lord the Member for Tiverton (Viscount Palmerston) had moved an Amendment to the original Resolution, which had been improved by the right hon. Gentleman the

Member for Carlisle, and adopted by the right hon. the Chancellor of the Exchequer in the name of the Government. But for himself he had no hesitation on reading the original Resolution, to say that it was the one which the House ought to adopt, nor did he think the country would be under any mistake as to its terms or appearance. This was no question of words: it was not a matter to be left to the etiquette of the Pump-room of Bath, or to a master of the ceremonies. It was the vindication of a policy—a policy which Sir Robert Peel commenced in 1842, and completed in 1846. It might be all very well for some Gentlemen to indulge in nice criticisms, and he must tell the noble Lord the Member for Tiverton that they were there to consider what was just and right: it was a great question of political morality, and not a question of what was agreeable to Gentlemen on the other side of the House. He was therefore very much surprised at the noble Lord's Amendment, but if he was surprised at the Amendment, he was still more surprised at the speech with which it was accompanied. He was aware that some people were of opinion that it was quite natural in the noble Lord—who might be considered as a sort of wet nurse to the present Administration—who attended them in their infancy, and cherished them in their adversities last Session—to step in to relieve the British Protectionist when he was almost choking with their endeavours to swallow a crust of Free Trade bread. Some people thought it was quite natural for the noble Lord, at such a conjunction to pat them on the back, and administer a mixture of his own creation. But if he took exception to the terms of the noble Lord's Amendment, what was he to say to his speech? He had a strong impression that the sympathies of the noble Lord would hereafter be enlisted more by the Tory benches than by his old and tried friends. He entertained a great respect for the noble Lord—he had a great admiration for him; yes, he proved that by his vote when the noble Lord on a memorable occasion was exposed to the danger of a vote of censure which his new friends wished to pass upon him: on that occasion, as an independent Member, he gave the noble Lord his humble support; he approved of the noble Lord's policy on that occasion, and, therefore, he had a just right now to speak his honest convictions as to the course pursued by the noble Lord now. It might be all very well for the noble Lord to say of his new friends and connexions on the other side of the House, that they were pursuing a politic course; but he thought that the noble Lord went rather too far when he said it was a course that was creditable. He might consent to say that it was a politic course; but he must dissent from the noble Lord *in toto* as to the credit which the noble Lord appeared to attach to that course. And when the noble Lord, forsooth, taunted his hon. Friend the Member for Manchester (Mr. Bright), and told him that he was making a great national interest a party question, he must take leave to ask the noble Lord who it was that had made it a party question for six long years? Who was it indeed? Was it the Free Traders in the House, or out of the House? No, it was the right hon. Gentleman the Chancellor of the Exchequer and his associates on the other side; and he thought there was little room for any man to talk about the credit of their course. For his part, no honest politician could say that the conduct of the Protectionist party had been a credit to themselves. But the noble Lord had taken his own line; he had chosen to move an Amendment to the original Resolution, thereby endeavouring to break up the united opinion of the liberal side of the House. It was very natural that the movement of the noble Lord should be viewed with suspicion by those who had hitherto been his friends; but if the noble Lord surprised him by his Amendment and his speech, what was his surprise to hear the speech of the Atlas of the Administration and the Proteus of protection, the right hon. Gentleman the Chancellor of the Exchequer? He thought the House would agree with him in saying, that the fluency of the right hon. Gentleman's dictum was only equalled by the hardiness of his assertions. The right hon. Gentleman talked of the audacity of the noble Lord the Member for the City of London (Lord John Russell). Why, the right hon. Gentleman appeared to him to have taken a leaf out of the book of a great French character. [*Laughter.*] Oh, but he did not allude to M. Thiers. He spoke of the great French character at the time of the French Revolution—Danton, who, when he was asked to give a reason for his success, said, "Audacity, always audacity." Well, now, what was the course pursued by the right hon. Gentleman? The right hon. Gentleman actually had the face to tell the House, the other night, after the course he had pursued for six years, that neither the Earl of Derby nor himself had endeavoured to reverse the system of Free Trade. True, the right hon. Gentleman never had the courage to make a direct or specific attempt to reverse the Free Trade policy, but the House must recollect the course which he allowed his friends and followers to pursue. The right hon. Gentleman the other night favoured the House with his own history of the Protectionist party and their course during the last six years. Then the right hon. Gentleman reminded him somewhat of another history, or rather a romance, namely, *Hume's Apology for the Stewarts.* But the right hon. Gentleman's history was nothing more nor less than an apology for his party, or rather for himself. But what course did the right hon. Gentleman really pursue? He would have them believe that he had stood by ever since 1846, and never even attempted to refute the doctrines of Free Trade. But was there no external agitation in the country? Was there not a house taken in Bond-street for disseminating tracts and conducting the whole business of the Protectionist movement? Why, if he was not mistaken, the hon. Gentleman who was now Secretary to the Admiralty was Secretary to the Bond-street Association. Well, now, what was the first movement of this gang? If the House would bear with him for a few minutes, he would show them by a few quotations. There had been a good deal of quoting in the course of this debate, but he would promise them that what he read should be new matter. He would not trouble them with the notions of ancient county Members, who were men to be pitied, but he would draw upon the fountain-head of the party. The right hon. Gentleman had told them that neither he nor the Earl of Derby ever was engaged in the Protectionist agitation; but if they were not, some of their principal supporters were, and he would take leave to mention an incident in proof of this, which no doubt the hon. Gentleman the Secretary to the Admiralty would well remember. In the year 1849, on June the 26th, a meeting was held in Drury-lane Theatre, which the party had taken at the time. At this period the Duke of Richmond was in the chair, and very active; indeed, it might almost be said that there were six Richmonds in the field—for his Grace was here, there, and everywhere; now in Sussex, now in Essex, then in London, and in any announcements of Protectionist meetings you were always sure to see Mr. Ellman and the Duke of Richmond in red letters in the Bill. The Duke of Richmond invariably took the lead in opening the ball; for instance, he took the chair on this occasion, and the meeting was held to receive the Report of the Committee of the Central Society. The first Resolution for receiving the Report was moved by a Cabinet Minister. But before mentioning his name, the House should see what he said. These were the men, mark you! who never attempted to reverse the policy of Free Trade. This speaker thought the country was going to be ruined by a free trade in gloves, and then he went on to say—

> "He was not one of those who wished a Minister to be obstinate in details, but he wished him to be obstinate in principle; a man without firmness of principle was dangerous, unfitted for office. Three months before (the repeal of the Corn Laws) Sir Robert Peel spoke strongly in favour of this Bill of three years before. . . . What a blow to the character of our public men, and, through them, to the character of this country in the face of Europe! It was not too late to retrace steps so rashly made. He hoped to God the time would never come when the free-trade theory would be consummated; but, should it please God, in His anger, that it should be effected, then would this great kingdom soon return to her normal and natural state, a weather-beaten island in a northern sea."

And who did the House think was the speaker of this eloquent and moving address? Who was it that was afraid Free Trade would reduce this country into a weather-beaten island in a northern sea? No other person, indeed, than the noble Lord the present Secretary of State for Foreign Affairs (the Earl of Malmesbury), a colleague of the right hon. Gentleman, who had never done anything to reverse the doctrines of Free Trade. But was the noble Lord of that opinion still? He wished they had him in that House. The Motion for the adoption of the Report was seconded by another Minister, but not a Cabinet Minister. It was seconded by a gentleman not of so many words as the previous speaker; he took a passage from the speech of the right hon. Gentleman the Chancellor of the Exchequer. Well, the Chancellor of the Exchequer quotes, and why should not other people quote him? The gentleman said, "the flower of the country were with him, and therefore the cause of protected and regenerated England must triumph." He went on to observe—and the British lion was never taken such liberties with as in this passage—"The British lion is a loyal lion; he is a bold one, when you do put him on his legs; he may be easily put up, but he is an awkward animal to put down." A Mr. Bosanquet was the gentleman who said this, but who he was he (Mr. B. Osborne) did not know; but Mr. G. F. Young, whom the Earl of Derby wished to make Vice-President of the Board of Trade, concluded a Motion at the same meeting for passing a vote of thanks to the noble Chairman by counselling the farmers what to do. They were to "agitate, agitate, agitate!" So much, then, for 1849; but let him follow these loyal Protectionists up. That assiduous Gentleman the present Secretary to the Admiralty was at this time Secretary to No. 17, Bond-street, where he was everything. He was everywhere, and did all sorts of things. He took the Crown and Anchor, where he got up a meeting in 1850. Well, the Crown and Anchor was taken, and who was in the chair? He did not know what had become of him, for lately he had not heard of him. The chairman was a noble Duke, and the man who threatened to make and unmake Peel. What had become of the Duke of Richmond? Nothing had been heard of him in the other House lately. Well, the Duke of Richmond was in the chair, and the meeting was attended by a few Ministers—men who now professed that they had never done anything to reverse the doctrines of Free Trade. The Earl of Eglintoun was there, Major Beresford was there, and so was poor Mr. Christopher. The Earl of Malmesbury was there, Mr. Forbes Mackenzie was there, Lord John Manners was there, and so was Sir John Trollope and Mr. Chowler. Now let the House listen to the speech of this last-named individual, and remember that the Duke of Richmond was again in the chair, and opened the proceedings of the day. He said—

> "If this country were to continue great and free, moderate import duties must be established; the experiment (of free trade) had been tried and failed; common sense always said it would fail. He recommended the tenant-farmers to persevere; let each, when they returned home, tell their neighbours to persevere, and justice would sooner or later take place."

There were several Resolutions moved, and the first was proposed by the hon. Member for Hereford (Mr. Booker). Unless the House wished it, he would not read the hon. Gentleman's speech, because it was very much like the one he had made that evening. This was, however, the Resolution moved by him:—

> "That the difficulty and intolerable distress of agriculture, and other great interests of the country, and the state of deprivation and suffering to which large masses of the industrial population are reduced, are fraught with consequences most disastrous to public welfare, and, if not speedily remedied, must prove fatal to the maintenance of public credit, will endanger the public peace, and may even place in peril the safety of the State."

This Resolution, which was pretty well for Mr. Booker, was carried with great enthusiasm, and it was seconded by that notorious and valiant gentleman Mr. Chowler. He did not know if the House would wish to hear what Mr. Chowler said; it was the famous horse speech, and Mr. Chowler (whom he looked upon as a very ill-used man) spoke to the following effect:—

> "Mr. Cobden says, if you attempt to reintroduce protection, what he will do, and what will become of the landlords; but I say, if the landlords will stick to us, we will stick to them." [Here—this was the reporter's description of the scene—the assembly rose, and cheered vociferously. Earl Stanhope struck the speaker on the shoulders in approbation of the sentiment, and all on the platform rose and cheered.] "But we will go further—we have got nine-tenths of the horses of the kingdom, and men to ride them. . . . . . We will protect Her Majesty, if She will protect us. (Vociferous cheering.)"

The next Resolution was moved by a Mr. E. Ball. He hoped it was not the hon. Member of that name. [Mr. BALL here nodded his head acquiescingly.] He was happy to see the hon. Member looking so well after what he had said at the Crown and Anchor. He said, and he spoke out as he did the other night honestly and straightforwardly, for which he respected the hon. Member:—

> "It was painful to speak of the landlords in terms of disparagement, but was it not true they (the farmers) had fallen, not by the League, not by the treachery of Sir Robert Peel, but because their landlords, the aristocracy, had swerved from their duty?"

What did the hon. Member say now? Let the House listen to what followed, and then look at the hon. Gentleman:—

> "Would they tell him, a brokenhearted man, passing into a state of poverty, that he was to fear the threats of a demagogue?"

Then followed something rather obscure:—

> "They, the tenant-farmers, would be prepared to take those terrible steps, which it was most frightful to imagine, but which necessity was driving them to contemplate. [Tremendous cheers, at the close of which a gentleman upon the platform proposed three groans for Sir Robert Peel, the arch enemy of the human species.]"

Yet these were the Gentlemen who had done nothing to reverse Free Trade; and hon. Members were told to be careful not to wound the feelings of Gentlemen who had proposed three groans, as the greatest enemy of the human species, for the greatest Minister who ever lived! The proceedings were concluded by the Earl of Eglintoun, the present Lord Lieutenant of Ireland, proposing a vote of thanks to the noble Duke in the chair, "for his manly and consistent maintenance of the cause of protection on all occasions." This was seconded by a Cabinet Minister —Lord John Manners. And would the right hon. Gentleman the Chancellor of the Exchequer tell him that he did not stand by and pat them on the back, or that they would have gone to these meetings if they were not agreeable to the Earl of Derby, or to their present master, Mr. Disraeli? There must be plain speaking to-night; they must not have the politeness of diplomacy introduced for the evasion of a principle. Protection was the only thing upon which the Chancellor of the Exchequer had been consistent. On the 22nd of January, 1846, the right hon. Gentleman said in his speech on the Address—

> "To the opinions which I have expressed in this House in favour of Protection I adhere. They sent me to this House, and, if I had relinquished them, I should have relinquished my seat also." [3 *Hansard*, lxxxiii. 112.]

Then the right hon. Gentleman introduced his famous parallel of the Turkish Admiral steering his fleet into the enemy's port; and what did he say of a Ministry, honest and able, which he (Mr. B. Osborne) should be glad to see now in office? He said—

> "Who does not remember the 'sacred cause of protection,' the cause for which Sovereigns were thwarted—Parliaments dissolved—and a nation taken in! When one looks at the Ministry, seeing of what they are composed, one is hardly certain whether 'the future' of which they are thinking is indeed posterity, or only the coming quarter day." [*Ibid.* p. 115, 119.]

In his speech on the Corn Laws on May 15, 1846, the right hon. Gentleman spoke of the conversion of the Saxons by Charlemagne in battalions, and their being baptised in platoons. He then said of Sir Robert Peel—

> "'His life has been one great appropriation clause,' and he concluded, 'I believe the country will not long endure this huckstering tyranny of the Treasury bench—these political pedlars, that bought their party in the cheapest market and sold us in the dearest.'" [*Ibid.* lxxxvi. 675-76.]

In 1849, on the 1st of February, the right hon. Gentleman moved an Amendment on the Address, and withdrew it. He then said—"In my opinion the new commercial system has had a trial, a fair trial, and has failed." And the right hon. Gentleman looked forward to a time when it might be revised. On the 8th of March, 1849, the right hon. Gentleman moved for a Committee to inquire into the burdens on land. He then said, "I still believe our new commercial system is founded on erroneous principles." On the 15th of March the right hon. Gentleman made that allusion to "protected and regenerated England." On the 1st of February, 1850, the right hon. Gentleman voted for the Amendment to the Address moved by the right hon. Member for South Lincolnshire (Sir J. Trollope). He said he never made a direct Motion in that House against free trade, but he took advantage of a Motion in 1850 for a moderate fixed duty to speak and vote for it. On the 14th of May, 1850, the right hon. Gentleman said—

> "I ask you to protect the rights and interests of labour generally—in the first place, by allowing no free imports from countries which meet you with countervailing duties; and, in the second place, with respect to agricultural produce, to compensate the soil for the burdens from which other classes are free, by an equivalent duty." [3 *Hansard*, cxi. 86.]

And then the right hon. Gentleman came to the House in a November Session in 1852, and, with a face which he never saw equalled in the theatre, he dared to tell the House that he had never attempted to reverse the policy of Free Trade! He said, too, that the Earl of Derby had never done so. Of the two he thought the Chancellor of the Exchequer was a much safer and more discreet man. The Earl of Derby affected to be affronted the other night in the House of Lords about his personal honour. He (Mr. B. Osborne) said this was gross affectation, and he would prove it. In 1846 the noble Lord broke up the Government of Sir Robert Peel.

> "'I had placed before me,' he told the House of Lords, 'the choice of separating from my colleagues, or of sacrificing my own individual opinion, and what I conceive to be my own personal consistency and honour. I had to consider the course which, in my opinion, my public duty and my private honour required. I tried to school myself into the belief that, under certain circumstances, the interests of the country might require even the sacrifice of a public and personal character. My Lords,' he exclaimed, 'I could not bring myself to so humiliating a conclusion.'"

It was lamentable to see what a love of

party would bring a man to. ["Oh, oh!"] Did hon. Gentlemen opposite want any more? Was not every man satisfied that the noble Earl at the head of the Government had done all he could to reverse Free Trade? He knew that what he was saying was disagreeable to hon. Gentlemen opposite. He did not wish to hurt the feelings of hon. Members opposite, but he must tell them that he did not sympathise with the fine sensibilities of the hon. Baronet the Member for the Tower Hamlets (Sir W. Clay). He had farmers for his constituents, and he spoke on their behalf. [Lord BURGHLEY: Bethnal-green.] This noble Lord—a Lord of the Bedchamber—who represented a snug borough, might well be proud of such a large and honest constituency as that of Bethnal-green. He would now refer to the noble Lord's (the Earl of Derby's) famous "Up-guards-and-at'em" speech: he was now gone into the Rifles. When the noble Lord had come into power, several gentlemen waited on the noble Lord to learn what he intended to do. Here was his answer. It was very important:—

> "If there be any who are of opinion that I am flinching from, or hesitating in the advocacy of, those principles which I held in conjunction with my late Friend (Lord George Bentinck), I authorise you to assure one and all that those who represent that, in my case will find no hesitation, no flinching, no change of opinion. I only look for the day when it may be possible for me to use the memorable words of the Duke of Wellington, on the field of Waterloo [words, by the way, which he (Mr. B. Osborne) believed the Duke never did use], and say, 'Up, Guards, and at'em!'"

Such were the speeches of the Earl of Derby; and was there any Member so young, any Member so inexperienced in Parliamentary debates, that he would believe the statement of the right hon. Gentleman the Chancellor of the Exchequer, that neither he nor his colleagues in the other House ever took any steps to reverse Free Trade. He would now refer to a speech made by a right hon. Gentleman of high character—the Chancellor of the Duchy of Lancaster and Member for North Lincolnshire (Mr. Christopher). [Lord BURGHLEY: Hear, hear!] Ah! the noble Lord must listen: it might be disagreeable, but Lords of the Bedchamber must listen. He could well imagine that all this was very disagreeable to hear; but, perhaps, the noble Lord would answer him on his legs after he had done. Now, could anybody imagine that the right hon. Gentleman the Member for North Lincolnshire would have gone to his constituents with this address if he had not been authorised to do so by the Earl of Derby—the address which he issued when he accepted office. Here was an address sent to him (Mr. B. Osborne) by one of the right hon. Gentleman's constituents in Lincolnshire—a constituent who had hitherto supported the right hon. Gentleman, but was now disgusted with him. The right hon. Gentleman said—

> "Her Majesty having been graciously pleased to entrust to my care the Seals of the Duchy of Lancaster, I accept office under the administration of the Earl of Derby, from a conviction of his sincere desire to reverse'—[let the House mark the word 'reverse']—'to reverse that financial and commercial policy which is so injurious to native industry and capital.'"

Had he (Mr. B. Osborne) made out his case? Was the House of opinion that the right hon. Gentleman the Chancellor of the Exchequer, and his Colleagues, had from first to last, in season and out of season, been consistent in this one particular, their strenuous exertions and endeavours for six years to reverse the policy of Free Trade? It might be said, "Hon. Gentlemen wanted a cry; Protection was taken up, and therefore it was that all these honest men and deluded farmers were taken in." He did not know what the right hon. Gentleman the Chancellor of the Exchequer's future course would be; probably next month he would have an invasion, or something of that kind, to talk about; but there could be no doubt that the course which had been pursued on this occasion was not one which would conduce to the advancement of the great cause of public morality. They were told, however, that Protection was one of those things which were exhausted and obsolete. Was the House sure of that? Was it quite sure that the sudden conversion of these Gentlemen was sincere? He feared that it was not. He had there a very extraordinary speech, made within the last fortnight, by a Minister—a penitential Minister—the Chancellor of the Duchy of Lancaster (Mr. Christopher). The right hon. Gentleman went down to his constituents within the last fortnight—and this was very material, because it gave them the inference which was drawn by the supporters of the Government as to the course now taken by the right hon. Gentleman the Chancellor of the Exchequer. It seemed that there was a dinner given at the Angel Inn, Wainfleet. The right hon. Gentleman was present, and the account of his speech was copied from the *Boston Herald.* The right hon. Gentleman said—

> "At the time when I accepted office there was a great struggle going on in the country for the maintenance of Protestant and Protectionist principles"—

Why the two were put together he (Mr. B. Osborne) could not understand, unless it was because both began with "P."

> —"I trust the present constitution of Parliament is such as to leave no doubt that they will fully uphold our Protestant institutions; and with regard to the other subject—Protection—I have only emphatically to assure you that I entirely adhere to the opinions and principles I have always expressed. I can see nothing in the present aspect of affairs to alter my conviction that that which is called 'the Protectionist policy' is a true and wise policy for this nation to adopt. At the general election I stated that if the Government were unable to carry a Protective system, which would not except foreign corn—if the complexion of the new Parliament should be such as to prevent Her Majesty's Government from carrying out the principles which would raise from the foreign grower a large portion of revenue, and at the same time afford relief to the suffering class—then it would be their duty to establish such an equalisation and readjustment of the burdens of taxation as"—to do what?—"as indirectly to some extent to effect the same object."

This was on November the 13th. Here was an explanation by a Minister of the Queen's Speech—"You will have seen by Her Majesty's Speech that we"—speaking of the Ministry—"we have been compelled to adopt the latter alternative." Why, could there be a doubt in the mind of any man, after hearing that Speech, that it was a cut-and-shuffle transaction? Could there be any doubt that Her Majesty's Ministers were about to do indirectly what they had not the courage to do in the face of that House? They had seen, or at least they had got an inkling of the meaning of "unreserved adherence" to the Free-Trade policy; they had seen the right hon. Gentleman the Member for North Lincolnshire confessing what that was. He believed it was an "unreserved adherence" not to Free Trade, but to their seats. But he did take exception, and he believed the House would take exception, as a matter of principle, to men carrying on the Government of this country who were opposed, in their hearts, to the principles of Free Trade. In spite of what had been said by the noble Lord the Member for Tiverton, as to the indifference of the great public out of doors, to the private opinions of Members of Parliament and of Ministers, he did take exception to the committing of any cause to the hands of men who were opposed to it in their hearts. What was the great theory of Parliamentary government by an Opposition, which was so frequently dilated upon, and in fact first denunciated, by the right hon. the Chancellor of the Exchequer? What was his complaint—his argument—against Sir Robert Peel? That he had no business to remain in office to advocate principles which were first advocated and maintained by the hon. Member for the West Riding (Mr. Cobden)? What was the basis of his opposition to a Bill, to which, in itself, he said, he had no objection? Why, that it was brought forward by men who, he contended, had no business to bring it forward. He (Mr. B. Osborne) now alluded to the Maynooth Bill of 1845. There was one passage in the right hon. Gentleman's speech on that occasion which was really so remarkable, that much as he had quoted, he thought it would not be unacceptable to the House. In the year 1845, Sir Robert Peel, as the House well knew, brought in his Motion—a just and wise Motion he (Mr. B. Osborne) thought it—to render the establishment of Maynooth more consonant with the feelings of the Irish people. What was the course taken on that occasion by the right hon. Gentleman the Chancellor of the Exchequer, who, forsooth, was now carrying out principles to which he was in his heart opposed? The Chancellor of the Exchequer, then simply Member for Buckinghamshire, said—

> "I oppose this Bill on account of the manner in which it has been introduced. I oppose it also on account of the men by whom it has been brought forward, &c.; and to be told, because these men have crossed the House, and have abandoned with their former seats their former professions, these men's measures and actions are to remain unopposed, &c. You have permitted men to gain power and enter place, and then carry measures exactly the reverse of those which they professed when in opposition. I say that the Parliamentary course is for this House to have the advantage of a Government formed on distinct principles, &c., not a Parliamentary middleman, who bamboozles one party and plunders the other. Let us have no party question, but fixity of tenure. Let us dethrone this dynasty of deception by putting an end to the intolerable yoke of official despotism and Parliamentary imposture."

Now, he (Mr. B. Osborne) maintained that the man who had based his opposition on that ground had no right to hold office for one minute to carry out principles which he had stolen from other people. He must say that, since the lamented demise of that celebrated Oriental juggler, Ramo Samee—a gentleman who was equally known for his dexterity of hand and his great courage—a gentleman who could alike cut for himself a hand of trumps and swallow a broadsword—he had known no individual with so many ingenious devices, and such inordinate capacity of swallow, as the right hon. Gentleman, the creator of his party in that House. But, at the same time, he called upon that House not to be deluded by a great State conjuror—but in giving its vote to do what was right and just. [An Hon. MEMBER: Shame!] Yes: but no one on the other side called out "shame" when the late Sir Robert Peel was abused. They (the supporters of the Government), who acknowledged that night that Sir Robert Peel was a great and good man—a truth which all the country acknowledged out of doors—they who made that acknowledgment now did not call "shame" at the period to which he referred, but they stood by and hounded their man on, and now they cried "shame." He (Mr. B. Osborne) agreed with the noble Lord the Member for North Leicestershire (the Marquess of Granby) that something was due to the past; and when the new Members of that House were appealed to, and told to recollect their duties, he would ask them not to be behind the working and other classes in this country who had raised monuments to the late Sir Robert Peel, but to pay a tribute to his memory on that occasion, and not to hesitate for one moment in declaring by their vote that the policy of 1846 was wise and just. They need not be alarmed at the threat of resignation. That was an old threat, and sure he was, that if they did resign, the country would bow to their decision. The time had gone by when there need be any difficulty in creating a Ministry, and one use of the present one was to show how a Ministry might be improvised. The House might depend upon it, that so long as the cholera did not carry off the Government clerks, the Government would be carried on. For his own part, he had no confidence in the principles of the right hon. Gentleman or his party. He had alluded to their conduct in 1846, and probably their Protestantism might be on a par with their Protectionist principles, but he called on the House not to give their confidence to a gang of political latitudinarians who had no belief, politically speaking, save on the Treasury bench, no hope but in the perpetuity of place. He could feel no doubt as to how his vote should be given. He could not follow the noble Lord the Member for Tiverton in his Motion, but should give his confidenc in all sincerity to the hon. Member for Wolverhampton.

MR. E. BALL said, that he rose under very great disadvantages, for he could not pretend to the possession of that quality of audacity, which the French authority quoted by the hon. Gentleman who had just sat down had declared essential to success—he could not, however, help subscribing to the truth of the sentiment from the example the House had been witnessing. He (Mr. Ball) felt that he had a right to trespass on the attention of the House, having attended many of the meetings to which hon. Gentlemen opposite had referred, and which it seemed to him they ought not to treat with such contumely, inasmuch as they appeared to have furnished the hon. Member, and the hon. Member for Manchester with the subject-matter of their speeches. It struck him that, having derived so much amusement from the proceedings at these meetings, they ought to refer to them in a very different spirit from that in which they did. [*Laughter*]. Not having anything of the ludicrous in his composition, wherewith to amuse the House, he (Mr. Ball) would proceed to address himself to the real question before them. The hon. and learned Member for Wolverhampton stated the other night when he introduced the Resolution, that " the farmers of England were not quite so quick as other persons, and that it was, therefore, very wrong for the landlords to take advantage of their ignorance." That statement he repudiated. He asserted that the farmers of England were not deficient of intelligence. Of course, he was not going to measure the intellect of the farmers with that of the legal or professional men, but, compared with their equals in society, they would not be found beneath them. If he took the orators, the historians, and general *literati* of the country, and compared them with those of the Continent, he had no doubt that their equals, it may be their superiors, would be found; but throughout the world—as far as the science and practice of agriculture went—the farmers of England had no superiors. The great theme of the hon. and learned Member for Wolverhampton was, that they should not have protection because it advanced the prices of all necessary commodities, and because cheapness was a *desideratum*, and influenced the happiness and prosperity of a country. He (Mr. Ball) disputed the assertion " that cheapness was a *desideratum.*" Cheapness was no proof of national prosperity and welfare; but, on the contrary, in proportion as things were cheap the nation was impoverished. Cheapness, as he understood the term, signified much work and little wages. If he were convinced that it would be for the benefit of the poor and the labouring classes that there should be no protection, he protested most solemnly he would not think of advocating it. But he looked on it as the duty of all Governments, and the first and most paramount duty, to protect the poor. The man who neglected the poor did that which parted society, and which finally recoiled on himself with terrible effect. He had no hesitation in declaring that, in his opinion, the man who defrauded the labourers was a shedder of blood; and consequently, if a duty on corn injured them, he would not be its advocate. The late Sir Robert Peel had been frequently referred to in the present debate; and therefore it could not be out of place to give the House an illustration of that right hon. Baronet at one period of his career, for the purpose of showing that people were not happy in proportion to cheapness. Sir Robert Peel, on one occasion, when referring to the corn laws, said—

> " He had looked about over the world, and had endeavoured to ascertain the proportion in which the people of various countries consumed, in order to ascertain whether they get more for their individual consumption of the necessaries of life, where these commodities were cheap, as compared with where they were dear. He found that in Poland and Russia the consumption was about five bushels of grain to each individual per year; Germany, where corn was dearer, six bushels per head; in France, where corn was dearer than in any other country excepting England, seven bushels per head; but in England the average consumption was eight bushels per head, and nearly the whole of that consisted of wheat."

Now he should like hon. Gentlemen, instead of acting for the amusement of the House, to bring forward something that the mind could comprehend and the reason conceive. It had been stated several times in that House, that the entire community—particularly the working classes—were in favour of free trade, and that scarcely twenty persons could be found who entertained a different opinion. That he also denied, and in substantiation of his denial he hoped the House would permit him to read the Resolutions unanimously adopted at a meeting of the metropolitan trades' delegates held in London a few days since. The document and Resolutions were as follow:—

" PROCLAMATION OF THE WORKING CLASSES OF GREAT BRITAIN.

" Free Trade *v.* Protection.

" Whereas a notice of Motion has been given and a Resolution placed on the journals of the House of Commons by Mr. Villiers, seeking to pledge the Legislature to an unqualified approval and a further extension of the miscalled free-trade policy, otherwise unrestricted competition; and whereas it is desirable that publicity should be given to the real and deliberate sentiments of the working classes in respect to the effects of that policy on their interests: Now, be it known that at a large meeting of the working classes convened to discuss the relative merits of free-trade and protection, the following Resolutions were unanimously adopted, viz.—

" ' 1. Resolved—That the science of political economy as now taught, believed, and practised by those who advocate ' cheapness,' by means of unregulated universal competition, miscalled ' free trade,' has a most pernicious effect on the minds and actions of statesmen, is destructive of honest dealing, subversive of morality, ruinous to the national resources and character, tending to slavery, murderous in its operations of humanity, and therefore ought to be entirely abandoned.

" ' 2. That the principle of protection to humanity, to the products of labour, land, and capital in Great Britain and her colonies, is the true basis of political and social economy, calculated to give employment and fair remuneration for labour, profit on capital, promote the development of the national genius, energies, and resources, and thereby secure the peace, prosperity, independence, and happiness of the whole British empire.

" ' 3. That this meeting sympathises with all who are suffering under the miscalled ' free-trade ' policy, and hails with great satisfaction the efforts now making to reverse the present system of universal competition, and the introduction of a sound practical protective policy for native industry and capital, and will cheerfully co-operate with all classes to obtain legislative enactments for its realisation. '

" These resolutions being founded upon the following address of the Metropolitan Trades' Delegates:—

" ' Fellow Countrymen—As it is now admitted by all classes that labour is the source of wealth, it evidently follows that the prosperity and independence of Great Britain and her colonies will be best promoted by employing and protecting the greatest number of a healthy, industrious, intelligent, and moral population, that can be educated and comfortably maintained by their own industry; therefore it should be the first and most important duty of a wise Government to adopt such measures as will best secure employment to the entire population, and for their labour an abundance of the necessaries and comforts of life. We, therefore, fearlessly assert, that the unrestricted foreign cheap labour policy which has been for a series of years encouraged by the Legislature of the kingdom, and greatly extended by the late Parliament, is theoretically wrong, and, under the existing constitution of society, practically injurious to the working classes, by compelling them to enter into stimulated, unregulated, and hopeless competition at home and abroad, which is opposed to independence and happiness, dangerous to the country, and destructive to the general prosperity of the whole British people.

"'While reiterating the opinion which we formerly expressed against the present unfair system of reckless competition called free trade, from which its advocates promised so much good, especially to the working classes, but which has only proved "a mockery, a delusion, and a snare," we will not now impute blame on account of the experiment, nor do we desire to awaken in your minds angry feelings or enmity against any class of legislators or politicians; but we boldly call upon you to demand from any party that may hold the reins of office, a protective policy for native industry against unfair competition, so that you may be enabled to live by your labour, and give a rational, practical, and useful education to your children, without which the security and prosperity of the empire are impossible.'"

Now, he believed the great masses of the poorer classes who had been deluded by the question of the "big loaf" readily subscribed to that document. It really appeared to him to be not only an absurd but a cruel thing to represent cheapness as a blessing. ["Oh, oh!"] Let it be remembered that every article they ate, every beverage they drank, and every article, whether of dress or furniture, in daily use, was manufactured by the poor; and then to say that these things should be cheap, was, in his opinion, opposed to common sense. As to the reparation to be made, as well to the character of the late Sir Robert Peel as to the agricultural classes, he should say there was no man in this country who more loved to listen to Sir Robert Peel than he did, or who gave to the statements of that right hon. Baronet a more ready credence. He not alone believed in his statements, but he acted on them; and recollecting the triumphant manner in which the right hon. Baronet had defended the principle of protection in that House, he thought himself entitled to put in a claim for compensation on behalf of the agricultural classes, who had undertaken responsibilities on the faith of the laws under which they came into occupation of their holdings. Sir Robert Peel once said—

"When you tell me that corn is 60*s*. a quarter, I ask, Is there not a paramount necessity for maintaining the obligations of public faith? Can I shut out of my consideration altogether the operation of the malt tax, the operation of the poor-law, the operation of the county rate, and of all those burdens which press so heavily upon the landed interest?"

On another occasion that right hon. Baronet declared that—

"If these laws were repealed, land would be thrown out of cultivation to such an extent that the question would not alone be one for the landlords, but also for the farmers and even the labourers."

He (Mr. Ball) could adduce many other passages in which Sir Robert Peel had as strongly and clearly avowed his intention to maintain and uphold a protective policy. On another occasion he said—

"I do think that 8*s*. a quarter on corn coming from Poland will afford sufficient protection. Who pays church-rates? Who pays poor-rates? Who pays tithes? I say, not altogether, but chiefly, the landed proprietor; and if there be corn produced by land not pressed by these burdens, it would be clearly unjust to admit it on equal terms."

That right hon. Gentleman had been his (Mr. Ball's) great preceptor in political science. He had believed him to be one of the most distinguished and upright men that ever lived; but when reparation was now asked for his memory, he (Mr. Ball) would also ask for reparation for the farmers. The very faith which he had reposed in that statesman had taken many thousands of pounds out of his pocket; and when they talked of raising trophies to his name, every child of his (Mr. Ball's) would know that his position in this world had been damaged and diminished by his father's faith in Sir Robert Peel. The hon. Member for Manchester had said that he had always maintained that we should have corn cheaper than it had been before the repeal of the corn laws. Now he (Mr. Ball) denied that assertion. It had been the argument of the hon. Member, which was also sustained by the right hon. Gentleman the Member for Carlisle, that by taking away the protective laws of this country corn would not be made cheaper. And not only had that been the opinion of those hon. Members, but when Sir Robert Peel was asked in that House what would be the effect of the repeal of the corn laws, his answer was, "I do not enter into that subject, for I do not anticipate any diminution of price." And when the hon. Member for the West Riding was traversing the country, he had said on one occasion, "the argument of cheap bread was never mine;" and upon another occasion, "when free trade prevails, bread will be no cheaper than it is now. If the corn laws could be abolished by a secret edict, the farmers would not discover the fact by any injurious effects produced upon their interests." There was hardly anything which the free-traders had said that had not been falsified by the event; and scarcely a prediction that had turned out as they had anticipated. Mr. Cobden had asserted that if the unnatural corn laws were repealed, no Briton need any longer emigrate, and that emigration was created altogether by landlords and the corn laws. He had even said that those who were driven to emigrate were men condemned to transportation for the benefit of the landowners. Now, what was the result? Poverty had driven our poor by hundreds and thousands from Britain, and hundreds and hundreds of broken-hearted farmers had been condemned to a premature grave. More than that, hundreds and thousands of farmers were so hopelessly damaged and ruined by what had been done, that they could never be reinstated again. He had heard unmeasured abuse cast on the noble Earl at the head of the Government, and he had also heard some compliments passed on the right hon. Gentleman the leader in that House (the Chancellor of the Exchequer), which flattered his talents at the expense of his integrity. He (Mr. Ball) fancied that the right hon. Gentleman could not feel very much flattered by those compliments. Those compliments were not, he was satisfied, paid in sincerity, but because they believed that the best mode of fighting their battle was to create division on his (Mr. Ball's) side of the House. He (Mr. Ball) would now tell the House and his constituents what he intended to do. He never would be a party to approve of any Resolution which went to say that the happiness of the people and the prosperity of the country had been the result of free trade. He did not believe it. But he would say this, that after the country had showed itself determined to have free trade, when he saw what was the result, and what had been the response of the country, he was bound, as one of those who went there to make laws, to maintain and uphold the laws; and there was nothing more necessary for all parties to observe than that when the people of this country spoke through the majority in that House, the minority were bound in duty to submit:—and therefore he was compelled of necessity to say that he must submit. But he would not abandon the field if he were not to take with him the honours of war. He would not go out of the field if he were to be insulted as he was going; and therefore he would never accept the Resolution of the hon. Member for Wolverhampton. If the carrying of that Resolution should be destructive to Her Majesty's Ministry, he believed that that would be one of the most unhappy, one of the most fearful events that could befall us. This very week a gentleman who perhaps employed more hands than any man in London had said to him, "Mr. Ball, it is madness to stand out; you must give up protection principles; but I hope the consequences will not displace the Ministry; for though opposed to you in politics, I must confess that all the citizens, manufacturers, and shopkeepers of London would be distressed beyond measure at such a result, for they are the only body of gentlemen who are looked upon with any confidence." He maintained that that was true; and was he not bound, when about to give a vote which would determine the fate of the Ministry, to ask who should be their successors? Where was he to look for an answer? Was it from the hon. Member for Montrose, who, in a letter he had published, had referred to the jealousies and want of harmony which the Opposition exhibited, and who, if they were successful that night, would to-morrow diverge and separate? Notwithstanding all that had been said and written of Lord Derby, he would put it to the House, if in all classes of society everybody did not speak of that nobleman as of an upright, highminded, and honourable man? Then there was the testimony of Gentlemen opposite themselves as to the necessity of keeping the Chancellor of the Exchequer. Gentlemen opposite told them that he was the light of their party, the centre of their system, and the soul of their body. Well, then, if he were so extraordinarily clever as he was represented, what extraordinary fools they (the Ministerialists) must be to give him up. They said that Lord Derby and his Ministry had reacted the conduct of Sir Robert Peel when he threw over his party. The best proof that this was not so was, that when Sir Robert Peel sat down to ruin thousands who loved, cherished, venerated, and almost politically adored him, there were multitudes of his best friends who were obliged to violate all the kindlier feelings of human nature, and to separate themselves from him. But next look at Lord Derby. Was there one Gentleman amongst them (the Protectionists)—disappointed though they might be—grieved though they might be—lamenting as they did that they must abandon the view which they had so honestly, and as he believed so wisely, entertained—was there, he asked, one Gentleman among them who would cast one word of dishonour or reproach upon Lord Derby because he had been obliged to give up the contest? When the historian recorded the lives of the two men, he would say that the one statesman went down condemned and reprobated by those who had been his nearest and dearest friends; but that the other nobleman, amidst the disasters and trials, amidst the clouds and tempests that overcast his political horizon, had not one friend who abandoned him, and not one who charged him with their misfortune. They (the Protectionists) had been necessitated to surrender the principles which they had advocated—they acknowledged that they had been beaten; but he hoped that their opponents would remember that even the Indian who scalped his fallen foe did not lacerate his dead body, and that they would in their hour of triumph not forget the kindly and generous feelings which so universally distinguished the English character in such circumstances. And he said further, that if their real object was to obtain a settlement of this question, they would evince kindlier feelings and a better grace, and endeavour to win their opponents over by harmony and good fellowship, so as to have a united testimony given to their principles. Then they would better deserve their triumph by the magnanimity of their conduct; whereas, by trampling on those whom they had defeated, and by manifesting such bitterness of feeling, and pouring ridicule on those who had fought them valiantly and foot to foot, and would have beaten them if they had been able, they were only irritating the wound which they ought to seek to heal.

Mr. PHILLIMORE said, that he should claim the indulgence of the House whilst in a very few words he stated the reasons why he should give his vote that night most decidedly in favour of the Resolution of the hon. Member for Wolverhampton. He regretted that in the speech which had just been delivered, the hon. Member for Cambridge should have been so hurried away by his feelings as to have spoken with such unnecessary disrespect of an eminent man whose memory was revered by many; and however he might differ from him as to some parts of conduct, it was scarcely generous at this moment to press with great severity on those points which might be open to exception. It might be said of him and his party, *Sint inepti, sceleris vero crimine liceat multis aliis liceat Cneio Pompeio mortuo carere.* The inconsistency, moreover, of the hon. Member was most extraordinary; for what was there exceptionable in the conduct of Sir Robert Peel which was not far surpassed by that of Lord Derby and the Chancellor of the Exchequer? With regard to the Motion of the noble Lord the Member for Tiverton, every suggestion coming from such an authority in that House, ought to be received with attention; yet he (Mr. Phillimore) could not but feel that his Motion frittered away the most material and important part of the Resolution of the hon. Member for Wolverhampton, and omitted the very expression upon which it was, in his opinion, the especial duty of the House to insist. If the recent commercial legislation had really increased the comforts of the industrious classes, if it had really strengthened their attachment to the Throne and the other institutions of the country, must it not necessarily follow that such a policy was wise and just? How could they grant the premises, and then refuse to admit the conclusion which inevitably followed from them? He could not but observe that throughout the Resolution of the noble Lord the words "free trade" did not occur so much as once; and he must say that he preferred the words "free trade" to those of "unrestricted competition," on which it was possible that something they did not anticipate might be hereafter founded. It was said that they had nothing to do with the former opinions or conduct of the Government; but it was forgotten that the case of the Government had been rested upon the character of those who now occupied the Treasury benches; and, without entering into any invidious or malignant discussion, he thought it a most constitutional and legitimate course to inquire what had been the principles and professions of the present Government. No principle had been better recognised by the constitution, and it had received the sanction of the highest authorities. Now, it was beyond a doubt that the Members of the present Government had for years past pursued a course of most unremitting and declared hostility to the principles of free trade; and the noble Lord at their head had but very recently asserted that his predilections for the opposite policy were unchanged. Yet they (the Free-trade Members) were told that they were malignant and offensive, because they hesitated to entrust the guardianship of a policy to those who all along had been its determined and most inveterate enemies. They all recollected the credit acquired by the Judge who discovered the mother of a child; but if the question had been as to its education, and it had been proved that the one claimant had cherished and supported it, while the other had repeatedly endeavoured to stifle it in its infancy, and had predicted that if ever it came to manhood it would be a scourge and pest to society, the wisdom of Solomon would not be requisite for the decision. He would not trespass any longer on the time of the House, but simply state that, as a Free-trade Parliament, he thought they ought to have an Administration irrevocably bound to adhere to and extend that great and important principle.

Mr. BENTINCK apologised for rising at a time when the House was probably looking for much more able and eloquent arguments; but said, that having the honour of holding a seat in that House for the first time, and being the representative of one of the most important agricultural districts of England, he hoped that in the peculiar and somewhat anomalous state of public affairs, he should be allowed to make a few remarks. On a former occasion the hon. Member for Middlesex gave most affectionate advice to the Chancellor of the Exchequer, and recommended him, in language the most classical, and in phraseology, the most courteous, "to take his physic like a man." The hon. Gentleman proceeded to animadvert on the position of the Members on that side of the House who had hitherto held Protectionist opinions, and were favourable to the present Government; and the hon. Gentleman said, that either they (on the Ministerial side) must cease to support the Government, or give their support in a shameful silence; but he (Mr. Bentinck) did not believe in the existence of any such difficulty. *Credat Judæus non ego.* The hon. Member for Manchester had done him the honour of referring to a speech he had delivered on the hustings, at the same time appearing to doubt the accuracy of the report of it from which he quoted. Now, after that lapse of time, he (Mr. Bentinck) was not able to say whether what he was reported to have said was strictly accurate; but he begged to tell the hon. Gentleman that whatever he had spoken on the hustings, be it correctly or incorrectly reported, he was ready to maintain at all times and under all circumstances. With regard to the comparative merits of Free Trade and Protection, the hon. Gentleman who made this Motion (Mr. Villiers) evidently had not derived the information with which he favoured the House from the most reliable sources. The hon. Gentleman, he was sure, was under a great misapprehension as to the present condition of the agricultural interest. He was ready to admit that there might be cases where want of industry or want of capital had formerly prevented the land being properly cultivated, and where free trade had proved a stimulant; but the hon. Member had omitted to state that free trade had pressed hardly upon those farmers who had carried the application of capital, industry, and talent to the farthest possible extent in the cultivation of the soil; and that that class was still suffering from the present financial policy. The very short experience he had had of that House taught him that the most disagreeable thing to hon. Gentlemen opposite was anything that could possibly be construed or misconstrued into ambiguity of expression. Therefore he would endeavour to avoid anything of the kind by stating that he held, as he always had, to the merits of the principles of a protective policy. He would not enter into details with regard to the principle of protection; but this he would say, that he was prepared to rest the defence of that principle and of the views which he now held, not upon any feeble arguments of his own, but upon the arguments and speeches of the late Sir Robert Peel—upon the speeches of the noble Lord the Member for London—he was content to rest their defence upon the glowing and brilliant eloquence of the right hon. Baronet the Member for Carlisle. He remembered the time when these high authorities treated as little better than lunatics the men who could gravely talk of the total repeal of the corn laws. But he should ill discharge his duty to his constituents if he limited his view of the present question to one of mere financial policy—he regarded it in a much broader light. He looked at it in two points of view—first, as to the spirit in which, and the object for which, this Motion was brought forward; and next, as to the probable effect of this Motion on the fate of the Ministry, should it be carried by a majority. In the first place, he did not believe that it was brought forward in a fair and straightforward spirit—the object of it was not to defend a principle, but to upset an Administration. After the gracious Speech from the Throne, and the declaration of the noble Lord at the head of the Government in another place—after the clear and lucid statement made by the Chancellor of the Exchequer, did any man really pretend to say that the principle of free trade was in danger? And if no one would pretend that, what, then, was the object of this Motion? He could not recognise any patriotic motive for its introduction—he saw in it nothing but the eager aspiration of expectant placemen. This, he believed, was the opinion of reflecting men throughout the country. Supposing they were successful in this Motion, and that they displaced the present Ministry, who was there to take their places? His attention was naturally called to that party which formed the late Government; but he confessed that he could not look with confidence to that quarter. After the weakness and internal dissensions which had marked their previous tenure of office, and the amputation of their ablest Member, he saw no hope of the reconstruction of the late Cabinet. Well, he next turned to the party on the other side, at the head of which stood the hon. Members for the West Riding and for Manchester. The country had been told by the hon. Member for the West Riding that he and his friends were ready to sacrifice their own private feelings for the benefit of the public, and to take upon themselves the highest offices of State. He had no doubt that, if the hon. Member for Manchester were once fairly installed in office, he would be well inclined not only to put down the haughty aristocracy, but to put down with them other higher and more revered institutions in Church and State; but he much doubted whether the people of this country were prepared to go hand in hand with the hon. Gentleman in the rapid strides he was prepared to take. He saw before him also a very small but distinguished band of able statesmen and Members who aspired to hold the reins of office; but he could not help thinking that the friends and followers of Sir Robert Peel overrated the estimation in which they were held by the public: they had lost sight of the old and truthful adage, that those who love the sin do not necessarily love the sinner. He much doubted that were those hon. Gentlemen restored to office they would be able to perpetuate throughout the country that spirit of subordination, of obedience to the law, of peace, tranquillity, and order, for which there was so much necessity both in this country and Ireland. So long as he sat in that House he should give his warm support to the present Government, they having accepted office at a time when, if they had declined, the country would have been thrown into the utmost difficulties.

Sir WILLIAM PAGE WOOD said, the hon. Gentleman who had just sat down had stated, and stated most truly, that that which appeared at all times to create the greatest disgust and indignation at that —the Opposition—side of the House, was any ambiguity in the expression of sentiment by hon. Members. It was on account of his own strong disgust at such ambiguity that he felt it impossible to avoid saying a few words—and they should be but few—which should at least indicate that he had not sat there wholly unimpressed with the extraordinary scene which took place the other night when the Chancellor of the Exchequer was delivering his address—a scene that to him was the most surprising, since it exhibited the House sitting to listen, in a state, as it appeared to him, of the deepest humiliation at the gauge which the right hon. Gentleman had taken of their intellect, the appreciation he had made of their moral sentiments, when he could suppose that it would be tolerated in that House, in a society of Gentlemen, as the noble Lord the Member for Tiverton had properly reminded them — that he should venture to state, in the presence of so many who had been witnesses to the whole transactions of the last several years, that the line taken by the Protectionist party was one accepting free trade as an established fact, making no attempt to disturb or reverse that policy, and that that course had been pursued by them up to the time when the noble Earl at the head of Her Majesty's Government was called upon to accept office, in 1851, when, as he expressed it, that noble Earl found himself at the head of a large party who had made up their minds that that policy should not be reversed. He felt great respect for the hon. Member who had last spoken, and so distinctly disclaimed all ambiguity in the expression of his sentiments. Unfortunately he was not able very clearly to collect those sentiments; but he understood the hon. Member to advert, towards the close of his observations, to the state of parties in that House, and to characterise the proposition before them as one intended to produce the calamity of the secession of her Majesty's Ministers from office; and looking round the House to see what assistance could be afforded in that case to a desolate country, he referred to the small but distinguished party of the former supporters of Sir Robert Peel. Had it never occurred to the hon. Gentleman to ask himself the question, why those hon. Members had come to that—the Opposition—side of the House? Had it never occurred to the hon. Gentleman to ask himself the question, what it was that separated those hon. Members from the great party with which they were associated? They were separated from friends and supporters because they adhered to Sir Robert Peel in that policy in which the present leader of the Ministry stated it was now his determination to imitate him. There was another hon. Gentleman, the Member for Cambridgeshire (Mr. E. Ball), who had made a very manly and straightforward speech. It was a great comfort in these days to hear a straightforward speech; at the same time, he must confess he was a little puzzled with some portion of that speech also—for the hon. Gentleman told them of farmers annihilated by hundreds, of peasantry shipped off by cargoes, owing to the dreadful state of destitution in which this country was at present placed; and yet the hon. Gentleman told them, in the conclusion of his speech, that he had come to the resolution of supporting a Government which told them that they meant now to carry out heartily and honestly that very policy which had produced these disastrous results. He would not, at that late hour, enter into any examination of the hon. Gentleman's argument on the subject of protection; but, really, when they were considering how they could best express their almost universal concurrence in the principles of free trade, he thought he might leave the hon. Gentleman's whole argument on the subject of the working man and the destitution of the labourer to be answered in the next speech of the Chancellor of the Exchequer, because that right hon. Gentleman told them, in the Resolution he proposed, that the labourer's condition had been decidedly benefited by that policy. He would leave the right hon. Gentleman, then, to answer the invectives or complaints of his own zealous supporters; but he would observe to the hon. Member, if he did not presume too much in saying so, that he thought the hon. Member had not yet learned the precise line of duty which it would become one entertaining such decided opinions to follow. Surely it had not been by always bowing to majorities that great principles had made their way in this country. He (Sir W. P. Wood) belonged to a family, some members of which sat for twenty-eight years in that House. During most of that time they were in minorities; but they never bowed to a majority, and were at last successful in finding themselves in large majorities in favour of the principles which they had so steadfastly supported. If the hon. Member conceived, as he said, that the policy which his leader was now about to support was fraught with the mischiefs he described; if ruin and beggary had driven thousands of his fellow-subjects from these shores, and sent down others brokenhearted into the grave, it seemed to him that the hon. Member would be better doing his duty, as one of the farmers' friends, if he persevered in the policy he had conscientiously adopted, and were to continue to advocate and support it until he succeeded in its ultimate restoration. But what was the position they were placed in by the question before them? They had a Resolution proposed by the hon. Member for Wolverhampton, met, in the first instance, by an Amendment brought forward by the Chancellor of the Exchequer; and the conversation which took place in the early part of the evening finally eventuated in the right hon. Gentleman accepting the Resolution proposed by the noble Lord the Member for Tiverton. They had heard to-night the history of these Resolutions, and he was not sorry that the discussion of that evening had taken place. They had heard clearly and distinctly that, instead of that factious resolve which the right hon. Gentleman attributed to the supporters of the Resolution to encumber and clog in every possible way the movements of the Government, the greatest pains and caution had been taken to render the Resolution such a one as it would be reasonable and honourable for them to adopt. He could understand the Chancellor of the Exchequer if he told them that to move any Resolution at all indicated a want of confidence in Her Majesty's Government. The right hon. Gentleman certainly said—but in a very faltering and hesitating manner—that after the declaration made by the noble Lord in another place, and that which he had himself made in that House, and after the emphatic language of the Queen's Speech, it was impossible for anybody to mistake the policy of Ministers; but if so, there was no need of any Resolution at all, or, if any were proposed, the right hon. Gentleman should have treated it as one of want of confidence. But that course the right hon. Gentleman did not take; and when once he had adopted his Resolution, that ground was cut from under him, so that he was astonished that the right hon. Gentleman should attempt to treat this movement as a factious one. They had heard to-night that, by some means or other, they did not know exactly how, there was produced before the meeting in Downing-street a Resolution in certain words, and that after a determination being come to on the part of Her Majesty's Government to accept it—["No, no!"]—the Chancellor of the Exchequer said distinctly, that after that determination had been come to—and he said that he should not mind its being known at Charing-cross—to accept the Resolution, three odious words had been added, pronouncing the free-trade policy of 1846 to have been wise, just, and beneficial. He could fairly understand that there might be an impression on the right hon. Gentleman's mind, if those words were added in consequence of the Government being willing to accede to the first proposition, that this was done with a factious purpose; but they had heard to-night that those words were proposed by the noble Lord the Member for the City of London, long before the Resolution had come to the knowledge of Her Majesty's Government. But the question for them to decide to-night was, would they adopt that Resolution or the Resolution of the noble Lord the Member for Tiverton? If they had no Motion before them but the Resolution moved by the noble Lord the Member for Tiverton, or rather the original Resolution of the right hon. Baronet the Member for Carlisle, with that very essential passage in it respecting free trade being beneficial to every large interest of the community, then they might well have adopted and voted for that Resolution. But the hon. Member for Wolverhampton having first propounded his Resolution, and having thought it better to propose a Resolution in the shape he adopted, and the House being obliged to choose between the two Resolutions before it, the necessary consequence was that every one who rejected the first Resolution must be taken as recording his opinion, that the measure of 1846 had not been wise, just, or beneficial. They had to choose between the two, and if they chose a Resolution omiting those words, he asked if any individual in the country would have the least doubt in his mind that a Parliament assembled now for the purpose of discussing and deciding this very question, had come to a Resolution by a majority, though it might be a small one, that the measure was neither wise, just, nor beneficial? If that were the case, by adopting the Resolution of the Government, and rejecting that moved by the hon. Member for Wolverhampton, they would only be performing a solemn farce. They were called upon to express the feeling which all professed to be unanimous in entertaining, that the free-trade policy of the last few years was sound—so right and proper that it ought to be adhered to—and not merely adhered to, for the Resolution of the noble Lord went a little further than adherence—it went on to extend it, and that was not an unimportant difference. The Chancellor of the Exchequer had now, under pressure, accepted a Resolution—and it was important to remark this point of difference in the new position of the Government—pledging them not only to adhere to that policy, but to extend it; they were called upon, therefore, to declare it proper to adhere to, and even extend, the policy on which was founded that measure which the Ministers refused to admit to have been either wise, just, or beneficial. He could not conceive any course by which the House would more stultify itself than this. The only argument he had heard against the Resolution of the hon. Member for Wolverhampton was, that it would be ungentlemanly to press it on the other side. He was not willing to incur censure for ungentlemanly conduct from any man; and least of all from the noble Lord the Member for Tiverton, whose urbanity and politeness were acknowledged, not only by every one in that House, but in his extensive communications throughout the whole world. He did not wish to have it supposed that he was taking an ungentlemanly course on the present occasion, but they could not stand bandying compliments on a serious discussion like that, when the House was met to consider a great public measure, and in some degree, owing to the line of conduct pursued by Her Majesty's Ministers, the character of public men also. He held it of the deepest importance that the Legislature of the country should maintain its high character, not only for ability, but for integrity, and that men high in office should hold an equally high place in the general estimation of the country. Because, when representative institutions were, as at present, in some peril throughout Europe, if that House failed for one moment to secure the respect of the country at large; if they failed to maintain their representative institutions at an elevated standard; if it was held for one moment that it was matter of indifference to them in what manner public men conducted themselves, great danger must ensue to political liberty. Was it indifferent whether they expressed themselves in clear unambiguous language, or had a policy, not only vacillating, but actually differing according as it was propounded by the different Members of the Government, who, instead of openly and frankly avowing that their convictions had undergone a change, attempted to colour and palliate that change by telling the House that no such thing as a Protectionist party had existed since 1846; that all those magnificent speeches they had heard from the other side of the House upon the subject of protected industry; that all those eulogies in the *Morning Herald* which saluted the right hon. Gentleman opposite in the morning, and all those paragraphs in the *Standard* which soothed his slumbers in the evening; that all the meetings at Drury-lane; that all the speeches made by the hon. Member for Cambridgeshire, Mr. Chowler, and others devoted to the cause, were all to go for nothing; and that the House were now to be told, "we have not changed our opinions in the least, we remain where we were, although we are about to pursue a policy opposite to every principle we ever advocated;"—he maintained that in such a state of things there was great danger to the character of public men, and to free institutions. What had, in fact, brought the Resolution before the House? It would not have been brought forward if there had been anything like a frank declaration from Her Majesty's Ministers at however late a period—even in the Speech from the Throne; but instead of that, even the statements in that document were all under the condition of an "if," the only admission being that mentioned by the Chancellor of the Exchequer, who had told the House that Her Majesty had admitted that Parliament, in its wisdom, had sanctioned the free-trade policy. Certainly, the bare admission that an Act of Parliament had been passed did not do much credit to its authors for frankness; but if there had been such a declaration open, manly, and conclusive, instead of the miserable "if" which characterised the Speech, the Motion of his hon. and learned Friend would not have been heard of, because it would have been unnecessary for the public advantage. The Government came into power, not as they had represented it, from the falling away of the previous Ministry, but in consequence of their own act. They had up to that time been a great and united party banded together on the one point of protection; and although they had not brought forward any Motion for the reversal of the free-trade policy, because their leader was too great a master of parliamentary tactics not to know that it would be inexpedient, yet all their energies were devoted with great success to obtain such a majority in the House as would render it difficult, if not impossible, for their opponents to continue any longer to carry on the Government. They had a more dexterous mode of attaining this end than by bringing forward motions for the repeal of the free-trade measures; they endeavoured to render every Member of the Government then in office an object of obloquy and of public censure. And they did this in a peculiar way; for if a Member of the Cabinet was in the House of Lords they attacked him in the House of Commons, and if he was a Member of that House they brought forward their Motions in the other House. Who would forget the attack on the noble Lord the Member for Tiverton, and the good policy by which it was commenced, where he had no opportunity to answer it? Who would forget the attacks on Lord Torrington, the Governor of Ceylon, or that on the Lord Lieutenant of Ireland in the House of Commons; or that, only a few days before they came into office, the party now in power had threatened an attack, in the House of Commons, upon the noble Earl who then presided over the Colonial Office. Those were their weapons, and they were welcome to them; although he (Sir W. P. Wood) would certainly not have liked to have used them. Was it, however, supposed that Earl Grey, the noble Lord the Member for Tiverton, or Lord Torrington, were the real objects of attack? No; the attacks were directed against the then Government: and their object was to force them from their position, and to place their opponents on the Treasury bench, that they might then carry out the promises which they had made to those who had so zealously supported them. But what did they do when they entered office? We had then for the first time in the annals of statesmanship in this country a noble Lord taking high office, who would not tell the country whether he had any principles at all; while the noble Lord the Member for Sussex (the Earl of March) a prominent supporter of theirs in this House, told us that the principles of his followers were confidence in Lord Derby. He (Sir W. P. Wood) had heard of men representing principles—he had heard of Foxites, who represented the great principles of Mr. Fox; of Pittites, who represented the policy of Mr. Pitt; and of Peelites, who supported the policy of Sir Robert Peel; but he never before heard of substituting a man for a principle. A man might be the symbol of a principle, but could not be substituted for it. That, however, was done in this case; for we had no principle, but we had Lord Derby in its stead. We were simply told that the country were to have confidence in Lord Derby, and that his supporters had given him their entire confidence. He (Sir W. P. Wood) did not, however, know what part of the noble Lord's history induced them to give him this entire confidence. Was it because he was in 1832 a member of a reforming Cabinet? He did not think it could be; for he remembered that his right hon. Friend the Member for the county of Oxford (Mr. Henley) had, in a speech delivered not long since, stated that one great object of the policy of the present Government was to resist anything like a creation of new Peers, and the noble Lord was understood to have given his assent to such a measure in 1832. Again, was it the noble Earl's policy, when he entered or when he left the Cabinet of Sir Robert Peel which had gained him the confidence of his supporters? If we were to have a Veiled Prophet, we should at least have some of his oracles: but we had never heard what the noble Earl's principles were. As far as could be gathered from his declarations, they were opposed to free trade. It was only a few weeks before or after he was invited to take office in 1851 that he declared that he had never abandoned the principle of protection—that if such a notion had gone abroad it was erroneous, and that he only waited for the moment to say "Up, Guards, and at them!" Again, when he entered office in 1852, he said that although he was not prepared to carry out his principles to the utmost, he still held them, but that he would appeal to the country and see what it said to them. He did not say that he would reverse the policy of free trade, but that he would wait and learn from the decision of the country what his own policy was to be. He (Sir W. P. Wood) never witnessed conduct more humiliating than this for a man who had undertaken to govern a great country; it amounted to a declaration, "I have no policy of my own—I have no foresight—I do not know what to decide upon; but I am content to take the reins of Government, and to accept a policy from the constituency of England as soon as they will be kind enough to inform me of their wishes." The noble Earl had been very stout in his speeches against the democratic principle. He did not complain, nor ever should, of the noble Earl's confidence in the sentiments of the country; but he did say that it was the worst of all democratic principles not to make a distinction between the Legislature and the Executive, and not to have an Executive that should have the manliness, courage, foresight, and vigour to devise a line of policy and the determination to carry it out; or that, if the Legislature were against them, would say—not, "I make my bow to the constituency," but—"I make my bow to office." He was shocked and ashamed when he heard of these things first. He had hoped, however, that after the time for reflection and thought which the recess had afforded, the noble Earl would have advised Her Majesty to make an explicit statement in Her gracious Speech. We had not, however, had the slightest avowal of any principle, but a continued misleading of the public mind by one Minister saying one thing, and another the reverse. Encouragement was given in all quarters, the result of which must be that all would be equally misled and disappointed when the result came to be known. The noble Earl's declaration about "Up, Guards, and at them!" was made to correct the impression produced by an unfortunate speech at Aylesbury, which had alarmed the protectionists; then we had last Session a statement of the advantages of the free-trade policy from the Chancellor of the Exchequer, which highly delighted every one on the Opposition side of the House, and was thoroughly understood; but then, a few days afterwards, the noble Earl made a speech at the Mansion-house in favour of a policy of compromise. In this way, at the elections, while speeches were made on the one hand about the readiness to bow to the decision of the country, on the other an officer of the Government, when canvassing the county of Suffolk, told the electors that the time was coming for the restoration of protection. The hon. Member for Dorsetshire (Mr. Seymer) told them the other night that there was something peculiar in the atmosphere of the House of Commons, for while there everybody professed to be in doubt, nobody in Dorsetshire had any doubt as to the policy that was to be established; but, on the other hand, they had read a protectionist speech made by the other Member for Dorsetshire (Mr. Bankes), who was connected with the Government, and he would defy any one to say that in his part of the county, at all events, the farmers of Dorsetshire could have been free from doubts. He (Sir W. P. Wood) could assure the House that the farmers of Suffolk, at all events, were not clear upon this subject; they had little doubt that they were to have protection restored, either directly or by what was called compensation. Now, that last word showed the vast importance of carrying the Resolution in the form in which it was proposed. If the House declared that a measure was wise, just, and beneficial, they could resist a claim for compensation for an act which was just and beneficial. Compensation was not, as stated by the noble Lord the Member for Tiverton, a separate question, but was one involved in the very question of free trade, and in the grounds on which alone it had proceeded. If free trade were right, it was because it was founded on just principles. It was essential to the support of free trade that the question of compensation should not be admitted, for free trade had always been advocated on the ground that it would benefit every class of the community; that it would, in fact, even benefit the farmer himself, for by teaching him not to lean on those factitious supports on which he had before depended, but to trust to his own energies, it would make him able to meet any rivals who might endeavour to supplant him. If that was so, was it right or not that this principle should be asserted? The House was compelled to do so after the backwards-and-forwards statements of Her Majesty's Ministers, which rendered it utterly impossible to know what policy they would finally adopt. It was marvellous that when the Chancellor of the Exchequer talked of the "audacity" of the noble Lord the Member for the City of London, in doubting the intentions of Ministers, he did not see that it was impossible to gather from the speeches of the various Members of the Government any precise conclusion as to the view which they took on the question of free trade, and whether they thought the farmers were entitled to compensation. He (Sir W. P. Wood) said, let the House of Commons, at least, speak with a clear and definite voice. It was not becoming in that House now to speak with a faltering voice. They were the representatives of a straightforward truth-loving people. If, therefore, they hesitated to say the measure was "wise and just," and if the Government succeeded in carrying a Resolution which really meant none of those things, they would be again tampering with the people, with whom they had tampered sufficiently long already. Surely, the right hon. Gentleman the Member for the University of Oxford—who seemed inclined to favour the principle of compensation—could not now, if it were only on the ground so feelingly put forward by the noble Lord the Member for North Leicestershire, of paying a just tribute to the memory of the late Sir Robert Peel, hesitate to acknowledge that the measure was "wise, just, and beneficial." If the measure did not deserve that character, then was Sir Robert Peel open to all the odium to which he had been exposed—not, indeed, of being the arch-enemy of the human race, but—for having been the cause of public disaster, by using his great power to carry into effect a measure which was unjust. He would ask whether any man respected Sir Robert Peel the less—if, indeed, he did not respect him the more—for his frank avowal of the change his opinions had undergone on the question of the corn laws? He (Sir W. P. Wood) felt the Government had made a fatal mistake to palliate, and almost deny the change in their principles. But with respect to the House generally, he trusted they would now speak out in a manly honourable, and straightforward manner, as became the representatives of the English people, and so pronounce that to be "wise, just, and beneficial," which was now acknowledged on all hands to deserve all the three appellations.

Sir JOHN PAKINGTON: Sir, if the House will indulge me for but a very few moments, I can assure them that, at this late hour, I will not trespass upon them longer. I should not have asked their indulgence, even for that short space, had it not been for some of the expressions which have fallen from the hon. and learned Gentleman who has just sat down. Indeed I had no desire to address the House at all. I did not feel that I had much to say, and for this very simple reason—that it appears to me there is no question before the House. After what took place in the early part of the evening—after what was submitted by the noble Viscount the Member for Tiverton on Tuesday night—after the manner in which my Friends on this side of the House met that overture—after the explanations given by the noble Lord (Lord John Russell), and the right hon. Gentleman the Member for Carlisle (Sir James Graham), I certainly cannot approach this question, or discuss it, in that language and in that spirit which I should have done had I addressed the House on Tuesday evening, and before those explanations were given, and that understanding was come to. Sir, after that understanding I think this debate ought not to have proceeded. I am sorry, deeply sorry, that the hon. Member for Wolverhampton has felt it his duty to force on this discussion. I am the more sorry for it, because I have felt from the first, and I feel it now as strongly as ever, that this discussion as it stands is not creditable to the House of Commons. Sir, I am sorry that the new Parliament should commence with its first debate being addressed, not to any question of principle—not to any question of politics—not to any great measures submitted to us—these are the subjects to which Parliament generally devotes its attention in great discussions; but in the present instance the question before us concerns Resolutions which have been admitted by almost all the Members who have yet spoken to be in spirit, intention, and object, precisely the same; and I know of no good purpose to be accomplished by your discussing whether you shall on that side of the House cast more or less of vituperation and abuse upon Gentlemen on this side of the House. You profess to desire the settlement of a great principle—a principle interesting, I grant, to every man in this great community, and a principle which, I fully admit, after the circumstances of the late election, ought to be entertained and ought to be decided. But, instead of doing that, you are questioning whether you shall accompany the settlement of that principle by the insertion of words that are painful and unacceptable to this side of the House. Now, I think in the words used to-night by my right hon. Friend the Chancellor of the Exchequer, that, even for the promotion of your own object, you could not have taken a more unwise course. You wanted the settlement of a great question, and we have met you frankly. We have no concealment. ["Hear, hear!"] I am speaking the earnest, the sincere sentiments of my heart. We acknowledge that the verdict of the country is against the principles that we have hitherto supported; and if you wanted nothing but a fair settlement of those principles, you should have taken the line indicated by the noble Lord the Member for Tiverton, and been contented with that assertion of those principles which he proposed. The noble Lord said, and said wisely and with truth, that all the country cares for, and all the country has a right to care for, is what is to be the future commercial policy of the Government, no matter in what hands that Government may be placed. That is, for the moment, a subordinate question; but if you want to raise that question, let me beg of you to do it openly. You do not profess to raise that question now. If you did, we would meet you fairly. But you say your great object is the settlement of the question, upon what principles the future commercial policy of the country is to be carried on, whatever the hands which hold the reins of Government. You ought, therefore, to have been content with the admissions and advances which have been made on this side of the House. What said my right hon. Friend the Member for Oxford University (Mr. Gladstone), on the very night of the Address in reply to the Queen's Speech? If I remember aright—but I speak entirely from memory—he said, "I do not ask you for your opinions—I do not ask you for an internal conversion. All I ask you for is that which the country has a right to demand—on what policy do you intend to proceed hereafter?" Upon that subject, then, we have fairly met you; and therefore I say there is no question now at issue, unless it be whether you shall be permitted to force upon men on this side of the House, as honourable and as sincere as yourselves, a Resolution humiliating and offensive to them. As far as my own opinion goes, I cannot accept the terms of the hon. and learned Gentleman's Resolution, which I am sorry to say appear to have been studiously introduced so as to be offensive to us; and let me tell you that, although I am willing to join in the opinion entertained unanimously by my Colleagues in the Government, that we must bow to the decision of the country—and we do so cheerfully—yet I, for one, cannot concur in the words contained in the Resolution of the hon. Member for Wolverhampton, and I cannot admit that the measure of 1846, when it was first passed, was either just or wise. It is very easy to argue from results, and to cast censure and odium upon men who find themselves in the position of being obliged to confess that, in some respects, they have been mistaken; but I think you will admit that, upon these great questions of commercial policy, there is nothing more difficult than to foretell with anything like accuracy what their effects will be. It was remarked to-night with great truth, that there was hardly a single prophecy indulged in on this great subject on either side of the House which has not been found to be mistaken. I remember that we, on this side of the House, prophesied that, if free trade in corn were carried into a law, the importations would have to be paid for in gold, and that the Bank would be drained. But who can deny that since that period there has been more gold in the Bank than was ever known before? I do not shrink from making that avowal. On the other hand, I remember the hon. Member for the West Riding (Mr. Cobden) prophesying what would be the price of corn, and what the effects on price of a repeal of the corn law would be—and has proved to be equally at fault. Another prophecy he indulged in was, "Don't be afraid of a repeal of the corn laws; the very freightage will act, *pro tanto*, as a duty on foreign corn." To what extent these prophecies, too, have been verified, we are all well aware—the ships that have brought corn to this country have gone back in ballast. For myself, I may say that in 1846, and from that period to the present day, I have always been of opinion that it would have been a wise settlement of the question to have adopted a moderate fixed duty for the purpose of revenue as well as protection; and I was one of a very few Members in this House, who, in 1846, wished even then to bring about such an arrangement as that. But it could not be done. When, therefore, you say that the measure of total repeal was a just and wise measure, I beg you to recollect that the noble Lord opposite (Lord John Russell) introduced in the Speech from the Throne several years after that measure passed, an admission of the great distress under which the farmers laboured—at all events, their distress was recognised on the occasion to which I allude. Then, again, with regard to another question of free trade, I mean the sugar duties—into which, however, I cannot enter at this late hour—nobody can dispute the enormous amount of distress that that measure has produced in our Colonies—and surely nobody can deny, with regard to the agricultural interest, that the repeal of the corn laws has been the cause of great distress. Why, within my own limited circle, I myself know of the most painful cases of men who have held up their heads for generations as respectable farmers, and who are now reduced to the position of day labourers. We treated the question, I remember, very much as a labour question; but we also treated it as a question which affected the general interests of agriculture. As a labour question, I have not the slightest hesitation in admitting that we were mistaken. I have no hesitation in admitting that the prices of provisions have fallen in a much greater ratio than wages have fallen; and that although in some agricultural districts the labourers are not so well off as in others, yet, speaking generally, the condition of the labourer is far better than it had been previously to the repeal of the corn laws. That is, undoubtedly, a most important branch of the subject, and one to which Government cannot and ought not to shut its eyes. That, as a Government, we are bound honestly to admit. But upon this very ground I must pause before I also concede that it is "just" to benefit the working classes at the expense of the interests of another class of the community. With these views, then, I think that to compel Gentlemen on this side of the House to adopt expressions at variance with their views, inconsistent with their principles, opposed to their past conduct, and grating to their feelings, is taking an unwise course, and, above all, unwise on the ground that you must recollect that even Gentlemen on the other side of the House do not all stand in the position of the hon. and learned Member for Wolverhampton. That hon. and learned Gentleman has been for years the able and consistent advocate of free trade; but the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone) said the other night, with great candour, and I honoured him for the expression, that he was in no condition to throw stones at other men for their change of opinion on this question. And what, let me ask, is the position of the right hon. Baronet opposite (Sir James Graham) on this question? And what is the position of the noble Lord the Member for London? I have been long enough in Parliament—and it does not require a man to have been very long there—to remember the day—it was indeed only as it were the other day—that I followed the right hon. Baronet (Sir James Graham), and the right hon. Gentleman (Mr. Gladstone), and other statesmen with whom I was then acting, into the lobby time after time in defence of protection. And what is the position of the noble Lord (Lord John Russell)? I am sure that the noble Lord will admit that his conversion is of very recent date. It was only in 1841 when those great struggles were taking place between my late right hon. Friend Sir Robert Peel and the noble Lord, that the noble Lord and the Liberal side of the House were advocating a fixed duty of 8*s*. Under these circumstances, looking at the position of the whole House and the recent date of the conversions of the most eminent statesmen in it—the recent date even of the conversion of my late right hon. Friend Sir Robert Peel, I think that all men must feel that this is not the moment for one small handful of Gentlemen, whom, however, I respect for their consistency and undoubted sincerity upon this question, to throw odium upon other men, because they have retained their principles for a rather longer period. We shall have occasion before long to discuss other questions connected with the great principles of our commercial policy; and I, for one, will never shrink from avowing—no taunts from the other side of the House will deter me for one day or one hour from confessing, frankly to the House any change which may have taken place in my views. And here, in connexion with the question of change of views—there have been allusions this evening by different Gentlemen, and among others by my noble Friend the Member for North Leicestershire (the Marquess of Granby), to the late Sir Robert Peel. My noble Friend spoke in a frank and an honourable spirit on that subject. The Members of Government have been pointedly alluded to on that subject since; and therefore I cannot and will not shrink from saying that no single word of disrespect to Sir Robert Peel ever has escaped or ever will escape my lips. It was my misfortune in 1846 that I could not concur with Sir Robert Peel; and in opposing him on that occasion I made a great sacrifice of both party feeling and personal feeling. I opposed the right hon. Gentleman then; and, with whatever degree of diffidence I did so, I never shrank from voting against him when my conscience would not allow me to vote with him. But I agree with my noble Friend that a purer patriot never lived. I always received kindness and friendship from that right hon. Gentleman, and I shall always entertain feelings of kindness and friendship for his memory. The hon. and learned Gentleman opposite, the Member for Oxford (Sir W. P. Wood), used one expression to which I must advert. He spoke of the disgust with which he had heard the ambiguous language used on this side of the House, and of the manner in which it had been contended, that from 1846 till now, we had never advocated a return to the principle of protection. What we have said is this: that from that day to this we have never proposed protection to this House in connexion with land. We did not come into office last year on the question of protection. On the contrary, my noble Friend Lord Derby, in 1851, and again in 1852, when he took office, uniformly and consistently declared that the settlement of this great question must be referred to the determination of the people at a general election. There is no man more free than I am with regard to the use of such language as has been imputed to us; for I challenge any hon. Gentleman opposite—let him search *Hansard* as he pleases—to find that I have ever said anything inconsistent with what I now state. [An Hon. MEMBER on the Opposition side: Sugar.] I know not who it is that interrupts me; but if any hon. Member thinks I have any intention of shrinking from anything I have said, or of prevaricating in regard to any statements I have made on the subject of the sugar duties, he will find, when the proper time comes for the discussion of the question, that he is very much mistaken. I was speaking, however, upon the question of the corn laws, which we are now debating, and I say that from 1846 to the present time the language I have held, both in the country and in this House, has been uniformly the same—that, after such a great change of policy as then took place, it would be absolutely impossible for us to retrace our steps, unless in deference to the general voice of the country. That is the opinion I have always entertained, and which I still entertain. The hon. and learned Gentleman has alluded to my noble Friend Lord Derby in terms which I was very sorry to hear him employ. I think the expression of the hon. and learned Gentleman was, that it had been reserved for my noble Friend now at the head of Her Majesty's Government to be the first Minister who acceded to power in this country, avowing that he did so without principle. I really don't wish to say anything disrespectful of the hon. and learned Gentleman, for whom generally I entertain the utmost respect, but I can only treat such a declaration as an absurdity in itself. I deeply regretted to hear him use such language. I do not believe that any statesman ever more distinctly enunciated principles— [*Derisive cheers and laughter from the Opposition, and loud cheers from the Ministerial benches.*] I do not think any statesman ever enunciated principles more distinct or better defined, more worthy of his high and noble character, than my noble Friend Lord Derby did when he took the reins of office. The hon. and learned Gentleman has asked a question which I think we might rather have asked him—why has this Resolution been brought forward? I admit that is a matter I cannot understand, except upon the painful principle to which I have before adverted. The noble Member for the City of London has this evening again dwelt upon what he calls the ambiguity of the language in the Queen's Speech. I most distinctly say that I cannot concur in his opinion. I fully admit that this House had a right, after the circumstances of the last election, to know what are the intentions of the Government with regard to the great question of free-trade; and I contend that the announcement of those intentions was conveyed in the Royal Speech with as much distinctness as was consistent with the language which Ministers are in the habit of advising the Sovereign to use. I know not what language you could have more distinct, or what expression could be more intelligible, than the expression of "unrestricted competition," which was the phrase used in the Speech delivered from the Throne. The noble Lord then spoke of the Resolution moved by my right hon. Friend the Chancellor of the Exchequer, as a supplement to the Queen's Speech. No, Sir, it was no supplement to the Queen's Speech; but it was a step which I think we were bound to take after the language which had been held by hon. Gentlemen opposite with regard to Her Majesty's Speech. They have complained of ambiguity; but, I must say, I am rather disposed to think they have only arrived at a foregone conclusion, and that they wished to consider the language of the Speech ambiguous. As the announcement in the Queen's Speech was not held to be sufficiently distinct, hon. Gentlemen opposite moved a Resolution declaratory of their principles; and we felt it to be our duty to move a Resolution showing that we do not desire to shrink from a plain announcement of our intentions. I must say, however, that I think there is another answer to the question why the Resolution of the hon. and learned Gentleman opposite was proposed. I cannot help thinking that it is very much the same Resolution with which we were threatened in April last. It was not considered politic then to bring that Resolution forward; and I cannot help suspecting that it has been brought forward now in the hope that four distinct parties on the opposite side might be combined in one vote, it being very difficult, perhaps, to find any other subject on which they could be combined. It seems, further, to have been thought desirable to effect this combination before Her Majesty's Government had had the opportunity of bring their measures before Parliament. By the good spirit which has been shown, however, and by the readiness with which hon. Gentlemen opposite have subscribed to the arrangement that has been suggested, whatever schemes might have been entertained have signally failed; and I believe and hope that the country—who look not to these petty personal matters, but to the great and important question of what is to be the future policy of the Government—will have the satisfaction of seeing that future policy affirmed by an overwhelming majority, and by a Resolution free from the objectionable language and the objectionable purposes which, in my judgment, lurk in the Resolution which has been moved by the hon. and learned Member for Wolverhampton. Sincerely apologising to the House for having detained them so long, I will only express my earnest hope that the majority upon this occasion may be an overwhelming one, and that the House will not be disposed to join in a form of vote which, in my mind, is unworthy of those who are parties to it, and derogatory to the character of this House.

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Friday, November 26, 1852.

MINUTES.] *Took the Oaths.*—The Lord Carleton.

THE AMERICAN FISHERIES.

LORD WHARNCLIFFE said, that he rose to put a question to the noble Earl the Secretary of State for Foreign Affairs on a matter of great importance to a great number of Her Majesty's subjects in a distant part of Her dominions, and also to the inhabitants of a great State in friendly relations with us. The matter to which he referred was the Fisheries on the coast of our North American colonies. Their Lordships would probably have it in their recollection that in the month of July last intelligence reached this country that the people of the United States, and more especially a certain portion of them in the Eastern States, had been greatly excited by the publication of a letter from Mr. Webster, the then Secretary of State for Foreign Affairs to the American Government, announcing that new instructions had been sent by the British Government to its officers in the Colonies to enforce the regulations of the treaty between the two countries as to the fisheries on the coasts of our North American Colonies, and informing them that this Government intended to put a new construction on that treaty, and warning such of the population of the United States as were interested in those fisheries, to beware of the penalties following on any infraction of the treaty, and promising to take the whole subject into the consideration of the United States Government. In answer to that letter, nothing, that he knew of, had yet appeared giving a satisfactory explanation of the state of the case, or of the motives which had induced the American Secretary of State to write and publish such a letter. There was published in the American papers shortly afterwards a paper purporting to have been received by our Minister at Washington, Mr. Crampton, and stating that there had never been any intention on the part of the British Government to put a new construction on the treaty. That was the only document, he believed, which had appeared since the publication of Mr. Webster's letter at all calculated to throw any light upon the subject. Now he believed that that letter truly represented the real state of the case; and if that were so, it was difficult to comprehend how it happened that the Foreign Secretary of the United States should be so misled as to suppose that such an intention as that which he announced existed on the part of the British Government. He knew but of two suppositions which could by possibility explain the circumstance. The first was, that some communication to the Government of the United States was couched in such terms as conveyed that impression to them; and the other was, that no communication whatever had been made by this Government to that of the United States—no intimation on the subject, such as was required by the ordinary rules of courtesy observed in diplomatic transactions, and that the United States were left to put their own construction on the acts of the British Government. Which of these two suppositions was right he knew not; but it was not unfair to suppose that the noble Earl opposite, the Secretary of State for Foreign Affairs, would be not only ready, but even anxious, to give an explanation on this subject which would be satisfactory not only to their Lordships and the country, and our Colonies, but also to the American fishermen, who were also deeply interested in the issue of this question. There was another matter connected with this question, which, in his opinion, entitled him to ask it. Rumours were current, and especially in the United States and in the Canadas, that in connexion with this subject of the fisheries, it was proposed to make fresh arrangements, by negotiations now pending, to improve the commercial relations between our North American Colonies and the United States. Having no documents before him, he could only speak of these statements as rumour, but he knew that they formed part of the current opinion on both sides of the Canadian border. That was, in his opinion, an additional reason for asking the noble Earl opposite to communicate to the House and to the country the present condition of these transactions. The question which he now wished to ask was information as to this point—whether the correspondence and negotiations between the two Governments, which had been going on for some time past, on the subject of the fisheries on the coast of our North American Colonies, were now brought to a conclusion; and, if so, whether he would consent to lay the papers connected with them at once on the table; or, if not at present, whether he would have any objection to lay them upon the table upon a Motion made to that effect?

The EARL of MALMESBURY said, that the noble Earl who had just sat down had in no way exaggerated the importance of the question to which he had been referring—a question which during the last five months had occupied the attention of Her Majesty's Government as much as it deserved. The noble Baron had referred to the letter of the late Secretary of State for Foreign Affairs in the United States, Mr. Webster, complaining of the conduct of Her Majesty's Government, when that Government issued orders for the employment of a new description of vessels, and also of a greater number of vessels, in protecting our North American fisheries. The noble Baron had attempted to account for the publication of that letter. He supposed that it might perhaps have been published because the orders of the British Government to its colonial officers were couched in such terms as were not pleasing to the United States, or from another reason—namely, in consequence of Mr. Webster having supposed that Her Majesty's Government intended to put a new construction on the treaty of 1818. Now he said, on behalf of Her Majesty's Government, that it had written to its own officers in Canada and elsewhere, and also to the officers of the United States, and that it had not used any language to any of them which it was not fitting to employ on such occasions. He would add, also, that Her Majesty's Government had placed no new construction on the treaty—that it had asserted no new claim whatever for itself on the American Government—that it had made no addition to the material force already on the station—that it was more a police regulation than anything else. A new and more useful sort of vessel was employed, and in greater numbers than before — the number of cannon was even diminished—and nothing had been done calculated to excite the jealousy of the American Government. He (the Earl of Malmesbury) knew nothing of the source of the discontent prevalent in the United States to which the noble Baron had referred; but the noble Lord who had just sat down, and who had been for some time a resident in the United States, and who knew the influence which periodical events exercised in those localities, might perhaps be able to account for the appearance at that time of a correspondence which at another period might never have seen the light. He asserted that Her Majesty's Government were not to blame for anything which had occurred either on this or on the other side of the Atlantic. With respect to the notice to be given to the Government of the United States, he had only to assure the House that notice was given to it as soon as the change of our naval arrangements was made; not that he believed that it was necessary for us to give any notice at all, save on account of the usual diplomatic courtesy. If any person thought that, on the part of Her Majesty's Government, he should have given that notice earlier, or that our new arrangements should have been postponed until the American Government had had a longer notice of them, that was no compliment to the American Government, as it presupposed that it was privy to the acts of aggression on our shores, which some American subjects had been long in the habit of perpetrating. As to the present state of the negotiations of which these events had been recently the cause between the two countries, he was obliged to tell their Lordships that they were in such a state that he must, though with regret, refuse to lay the papers regarding them on the table. He might even say that the negotiations were only just begun. Before the lamented death of Mr. Webster, he had entertained the proposal of Her Majesty's Government, and had agreed to negotiate on a large and wide basis, including not only all the disputed points regarding the fisheries on the coasts of our North American Colonies, but also the trade between the United States on the one hand, and Canada and our other Colonies on the other. He gladly admitted that from the moment of commencing the negotiations, Mr. Webster had acted in a true principle of conciliation, and that he had expressed to our Minister, Mr. Crampton, that it was his most anxious desire that the trade between the two countries should be carried on upon a greater principle of freedom, and that all possible causes of dispute should be removed between two such great nations. On all accounts Her Majesty's Government regretted the death of that great statesman; but more especially on account of the particular period at which it occurred, for it had interrupted the negotiations which were commenced; and at that moment he had no official information of any successor having been appointed to his (Mr. Webster's) office. He was happy to inform their Lordships that Her Majesty's Government had received the same assurances of goodwill from the President, Mr. Fillmore, and the same expression of his anxious desire that the question should be settled, not on a narrow footing, but on a broad field. They had been met in the same spirit by Commodore Perry, who had been sent by his Government to watch over the property and to promote the interests of the American fishermen, who were exercising their rights, not near our coasts, but around our shores. In fact, from the American Government, with the exception of the first letter, which was written by Mr. Webster in a moment of excitement, when he was suffering from the illness which terminated in his death, they had had nothing but friendly assurances. There had not been a single word said by any official personage in the United States which did not give Her Majesty's Government sanguine hopes that these negotiations would be brought to a satisfactory conclusion, and that every cause of dispute between the two countries would be amicably settled. When that period arrived, it would afford the greatest satisfaction to him to lay on the table of the House the papers which the noble Baron had asked for.

House adjourned to Monday next.

HOUSE OF COMMONS,

Friday, November 26, 1852.

MINUTES.] NEW WRITS.—For Abingdon, *v.* Major General James Caulfield, deceased; for Bury St. Edmund's, *v.* Sir John Stuart, Vice-Chancellor; for Durham City, *v.* Thomas Colpitts Granger, esq., deceased; for Oldham, *v.* John Duncuft, esq., deceased; for Peterborough, *v.* Hon. Richard Watson, deceased.

DUTIES ON HOME-MADE SPIRITS IN BOND.

MR. ROCHE said, he wished to put a question to the right hon. Chancellor of the Exchequer in reference to the remission of duties upon home-made spirits in bond. It would be in the recollection of the House that, in the Session of 1850, the Scotch and Irish Members, with the aid of some English Members, succeeded in carrying a Resolution to the effect that Irish and Scotch distillers were treated unjustly by the existing law with reference to duties upon spirits in bond. The right hon. Chancellor of the Exchequer, the Secretary to the Treasury, the hon. Member for Liverpool (Mr. F. Mackenzie), and the Secretary to the Lord Lieutenant of Ireland, supported that Resolution. Acting upon that Resolution, the Irish and Scotch Members submitted a Bill to the House, on the back of which Bill were the names of Lord Naas and Mr. G. A. Hamilton; but unfortunately the Bill was lost. He should certainly be glad to know whether it was the intention of the Government to afford any relief to those suffering interests for which they had, when in Opposition, so frequently expressed their smpathyy.

The CHANCELLOR OF THE EXCHEQUER said, he was sure that the House would admit that it was scarcely fair that he should be pressed to make a communication with respect to the remission of duties, or the intentions of the Government in that behalf, on the eve of the financial statement. The hon. Member would soon have an ample opportunity for explaining his own views, and learning those of the Government, on the subject to which he referred.

COMMERCIAL LEGISLATION—FREE TRADE—EXPLANATION.

MR. J. L. RICARDO said, he rose to ask a question of some importance to the House. There was a Resolution, moved by the noble Lord the Member for Tiverton (Viscount Palmerston) as an Amendment to the proposition of the hon. Member for Wolverhampton (Mr. C. Villiers). Now he perceived that that Resolution was differently worded in the Votes issued that morning to what it was on the previous evening. Those very important words which they were told the right hon. Baronet the Member for Carlisle (Sir J. Graham) had inserted, were left out of the Votes of that morning. He wanted to know whether the Resolution as it stood upon the paper, was the Resolution which the Government had adopted in abandoning the Amendment of which they had given notice?

The CHANCELLOR OF THE EXCHEQUER: On the paper which I hold in my hand the words alluded to are not omitted, and that is the Resolution now before the House.

MR. J. L. RICARDO was understood to say that the words he had alluded to were omitted in the Resolution which appeared in the paper that was issued that morning. It seemed, however, that in the paper issued since, the Resolution had been given correctly.

The CHANCELLOR OF THE EXCHEQUER: Well, the Resolution before the House, and which the Government had determined to abide by, was that which had been proposed by the noble Lord the Member for Tiverton.

MR. J. L. RICARDO said, it was important to know whether the Government intended to adopt the Resolution of the noble Lord in lieu of the Amendment which they had themselves proposed.

The CHANCELLOR OF THE EXCHEQUER: I never said that I adopted any Resolution. What I said was, that in deference to the feeling of the House I would withdraw my Amendment on the Motion of the hon. Member for Wolverhampton, and, therefore, the Amendment of the noble Lord the Member for Tiverton was the only Amendment which was lying upon the table of the House.

RELATIONS WITH ROME.

MR. HINDLEY said, he begged to ask the hon. Under Secretary of State for Foreign Affairs, whether the interview which Sir Henry Bulwer, our Envoy at the Court of Tuscany, had with the Pope, some time ago, took place in pursuance of instructions from the Government; and whether there would be any objection to lay any communications which might have passed upon the subject between Sir Henry Bulwer and the Foreign Office upon the table of the House?

LORD STANLEY said, he was perfectly ready to reply to the question of the hon. Gentleman, and he should do so with the most entire unreserve. The hon. Member's question, as he (Lord Stanley) understood its general purport, was, that he wished to know what was the cause of, and what were the circumstances attending, Sir Henry Bulwer's visit to Rome? The cause of Sir Henry Bulwer's visit to Rome was this: At the time when he went there, Edward Murray, a British subject—concerning whom there was another question on the paper—was lying under sentence of death. There was no fault whatever to be found with the manner in which the British Consul at Rome, Mr. Freeborn, had conducted the negotiations respecting Edward Murray, and his consular duties generally; but considering the interest the case had excited, both in England and in Italy, it was thought desirable that there should be present on the spot an official of higher rank than a Consul. That was the object of Sir Henry Bulwer's visit to Rome; and, being in Rome, Sir Henry Bulwer did certainly avail himself of that opportunity to hold several interviews with members of the Papal Government on subjects interesting to both countries; but Sir Henry Bulwer went to Rome charged with no instructions, invested with no powers, and not in any manner accredited to the Papal Government. Whatever interviews might have passed between him and members of the Papal Government were entirely of a private and unofficial character. Under those circumstances, he (Lord Stanley) did not think it would be advisable to lay on the table of the House any communications relative to those interviews. As the subject had been brought under the notice of the House, he might take that opportunity of remarking that certain alleged reports as to the conversations to which he had referred, which had appeared in the columns of the daily press, were totally and absolutely incorrect.

CASE OF EDWARD MURRAY.

LORD DUDLEY STUART said, he would now ask the hon. Under Secretary of State for Foreign Affairs to state to the House the result of the steps taken by the Government on behalf of Edward Murray, at Rome; and whether the correspondence on the subject was now in such a condition that he could lay it before the House?

LORD STANLEY said, the result of the steps taken by the Government on behalf of Edward Murray was, that his life had been saved—that the capital sentence pronounced against him had been commuted to a sentence of perpetual imprisonment—and he had been removed to a more healthy and convenient place of confinement. Sir Henry Bulwer had been instructed to press for a further mitigation of that commuted sentence. That was the case, and the Government was not without hopes that some mitigation of the sentence might be obtained; but it might be injurious to the prospect of success if the correspondence were at present to be laid before the House.

COMMERCIAL LEGISLATION—FREE TRADE—ADJOURNED DEBATE.

Order read, for resuming adjourned Debate on Amendment proposed to Question [23rd November] "That it is the opinion of this House, that the improved condition of the Country, and particularly of the Industrious Classes, is mainly the result of recent Commercial Legislation, and especially of the Act of 1846, which established the free admission of Foreign Corn; and that that Act was a wise, just, and beneficial measure:" — (*Mr. Charles Villiers:*)—And which Amendment was to leave out from the word "Country," to the end of the Question, in order to add the words "and especially of the Industrious Classes, is mainly the result of recent Legislation, which has established the principle of unrestricted competition, has abolished Taxes imposed for the purposes of Protection, and has thereby diminished the cost and increased the abundance of the principle articles of the Food of the People," (*Viscount Palmerston*),—instead thereof.

Question again proposed, "That the words proposed to be left out stand part of the Question."

Debate *resumed.*

MR. MILNER GIBSON: Sir, I desire very briefly to state to the House some considerations which have occurred to my mind in reference to the Resolution of my hon. Friend the Member for Wolverhampton (Mr. C. Villiers), the Amendment of the noble Lord the Member for Tiverton (Viscount Palmerston), and the conclusions to which I have come with respect to both Motions. I consider it peculiarly unfortunate for us that the discussion of a Resolution intended to be a simple affirmation of a principle of public policy should have been mixed up with party considerations. I, for one, absolve myself of all responsibility, if that result should take place. I think that although it is true, as the right hon. Chancellor of the Exchequer says, that it is a mistake for either an individual or a Government to submit to insult, yet, on the other hand, it is not an uncommon stratagem, not an unusual Ministerial manœuvre, to call Resolutions of this kind votes of want of confidence, in order that thereby a fair expression of the opinion of the House may not be taken; and in order that the Members, who are supporters of Government, may be deterred from expressing their genuine opinions on the question before the House. I am at a loss to understand why it was necessary to say that this Motion of my hon. Friend's was a vote of want of confidence. If ever there was a question on which the House was entitled to be quite unfettered by Governmental considerations it was this, because the Government had told the people in the very commencement that they placed their own opinions on the shelf, and that the country was to pronounce freely without any reference to the private opinions of the Government. If that be so, I ask why we are now to be prevented pronouncing freely our opinion of the policy and justice of our commercial legislation, because the Ministers may chance to put the construction of a vote of want of confidence on our proceedings, in order to influence in their own ranks the gentlemen who go by the name of Conservative Free Traders. I think that we should have had these Conservative Free Traders voting with the hon. Member for Wolverhampton had not the manœuvre been resorted to of turning the Motion into a vote of want of confidence. Government had separated themselves entirely from this question. These opinions were not to inconvenience them in any way, and I think we are not dealt fairly with, when my hon. Friend submits his views in a temperate and proper Resolution, to have this extreme sensitiveness exhibited, and to be told that we are passing a deliberate insult on the Members of the Administration. I should suppose that the meaning of that word "insult" was connected with the intention of the person supposed to inflict it; and I say that if any intention of showing want of confidence be disavowed, any intention of wounding unnecessarily the feelings of hon. Gentlemen opposite, or of insult to the Government be repudiated, such considerations ought no longer to influence the votes of Members of this House. But I consider that my hon. Friend the Member for Wolverhampton would not have covered the whole ground, would not have pronounced fairly for the country, unless he had particularised the Corn Bill of 1846, and declared that measure to be both just and beneficial; and above all, I think he was bound to declare it to be a just measure, because in that term lay the whole question between the two parties. If we are to reason in the Resolutions which have been submitted to the House—and I submit that every one of these Resolutions, that of the right hon. Baronet the Member for Carlisle (Sir J. Graham), and also the Amendment of the noble Lord the Member for Tiverton (Viscount Pamerston) all give reasons why we should support recent commercial policy—if we are to give reasons, let us take care that we give proper reasons, that we may tell the truth, the whole truth, and nothing but the truth, and do not leave support of this policy on a foundation that may slide from under us, or write on sand that verdict which should be graven on the rock. It is not sufficient to tell me that the repeal of the Corn Laws has cheapened provisions. It is not sufficient for me to rest my defence of this policy on the prosperity of the day. I remember well when my hon. Friend the Member for Wolverhampton, in bringing forward his Motion years ago for the total repeal of the Corn Laws, founded that Motion upon the distress occasioned by them, he made but little progress. He was told that the distress might pass away, and that it was difficult to connect cause and effect in such a manner as to show the necessity of the great change he proposed. But when he took higher ground, and advocated the repeal of the Corn Laws on the broad principle of civil right, and justice, and on the ground that a man has a right to freedom of exchange, he then made progress, and got the support of the moral sentiment of the nation, and found that he was in the fair way of carrying his question. If you merely justify a policy on the ground of its cheapening provisions, and the prosperity it produces; and if at the same time you shrink from declaring that it is a just policy, who shall say that if from various causes provisions rise, or manufacturing or commercial distress comes on, we shall not be told that the time has arrived for the reconsideration of a policy which had been built on the cheapness of provisions, and the manufacturing prosperity it produced? Such a mode of dealing with a question would justify confiscation or repudiation. You might say of confiscation that it had benefited the parties in whose favour it had taken place, by their enjoying the property of those persons who had been robbed, or they might say the same of repudiation; and, therefore, I contend most emphatically that if we are afraid to say that this is a just and righteous policy, we had better say nothing at all about it. Now, the noble Lord, the Member for Tiverton tells us, with regard to the Motion of my hon. Friend, "There is not one word in that Resolution to which I, for my own part, should not be ready implicitly to subscribe." And yet the noble Lord, it is said, is going to vote against it. I do not understand whether the noble Lord, after saying he subscribed to it "implicitly," is going to vote against that Motion, or whether he is going to vote against his own Amendment. I think the speech of the noble Lord is fatal to his own Amendment, and I will explain why. The object of the noble Lord, as stated in his speech, is not to force the convictions of hon. Members opposite. His words are—

> "We are an assemblage of Gentlemen. We who are Gentlemen on this side ought to remember that we are dealing with Gentlemen on the other, and I, for one, cannot reconcile it to my feelings calling on an assemblage of English Gentlemen needlessly to express an opinion they do not entertain, or to recant opinions which may still be lingering in their minds."

Why, that is an argument against proposing any Resolution, unless you have previously secured unanimity on the subject. But does the Amendment of the noble Lord regard with such extreme delicacy the feelings and convictions of hon. Gentlemen opposite? Nothing of the kind. The noble Lord was about to ask the hon. Member for Cambridgeshire (Mr. E. Ball) and North Warwickshire (Mr. Newdegate), the latter I believe being the Chairman of the Society for the Protection of British Agriculture, to state that the free admission of foreign corn prudently extended will enable the industry of the country—of course including the agricultural industry—better to bear its burthens than if that corn were kept out. The noble Lord considers he is exercising extreme delicacy towards Protectionist Gentlemen when he asks them to make this declaration, merely because he leaves out in his Resolution the words "just and wise;" as if it were no offence to ask these Gentlemen to make what they consider one erroneous statement. The evil commenced when you asked them to accept the other. Now, if I were a Protectionist like the hon. Member for Cambridgeshire or North Warwickshire, I should be more grieved to be obliged to state with such painful accuracy that letting in foreign corn had enabled agriculturists and others better to bear their burthens, than if I had been asked generally to admit that the alteration in the law had been wise, just, and beneficial. So that it appears to me that the noble Lord's Amendment, supported by his explanatory speech, is quite as offensive to Protectionist Gentlemen as the proposal of my hon. Friend the Member for Wolverhampton. But then it is said it is not so offensive to the Members of the Government. Well, if Members of the Government have no respect for their own convictions, I do not see why we should be so extremely delicate towards those Gentlemen. It has been said that we mixed nauseous ingredients with the Resolution, by putting in the words "just and wise;" but, so far as the Government is concerned, we have the consolation of knowing that any bitterness that may be produced on their palates, may, perhaps, be counteracted by the sweets of office. I affirm that the noble Lord the Member for Tiverton is not playing a generous or just part towards my hon. Friend the Member for Wolverhampton in coming here, when he himself agrees in every word of my hon. Friend's Resolution, to take the question out of his hands, and to appropriate to himself the position of arbitrating between different parties in the permanent settlement of this great question. ["Hear, hear!"] I say that my hon. Friend, who has fought this battle manfully and conscientiously, through good and evil report, is entitled to the honour of passing the final Resolution. And let me tell you that none of these Resolutions, with the names of Lord Palmerston and Mr. Disraeli attached, will have the weight with the country or with the world, that one bearing the name of my hon. Friend would have. To use a somewhat familiar illustration the world will say, "No article is genuine unless it has the name of Charles Pelham Villiers attached." That name has been so long connected with the question that the world will believe something short of free-trade has been passed by Parliament if his Motion is thrown over, and the House supports the noble Lord's Amendment. The Resolution of the noble Lord the Member for Tiverton reminds me of one of those mediations that one sometimes hears of in the Foreign Office, intended to settle disputes between belligerent parties, and which have been preceded by secret negotiation. I will take the liberty of quoting a passage from a work of the right hon. the Chancellor of the Exchequer, in which he commented in former times with much severity on the characters of public men. The work I allude to is the *Runnymede Letters*, in which he showed a far-seeing sagacity in predicting the future career of the noble Lord the Member for Tiverton. He said that justice had never been done to the noble Lord's talent, who had served seven Prime Ministers with equal fidelity. The author goes on addressing the noble Lord in these words—"You owe the Whigs great gratitude, my Lord, and therefore I think you will betray them." Sir, the proceedings of the noble Lord on this subject remind me forcibly of similar proceedings on the Militia question. But I cannot believe that the noble Lord, agreeing as he does with the words of the Resolution, implicitly subscribing to them, was justified, out of mere generosity to the Members of the Government, in doing what in him lay to prevent my hon. Friend having a majority in support of his Motion. But are we to shrink from asserting that the policy of free trade is just? Is no man to be permitted without giving offence to hon. Gentlemen opposite to assert that the repeal of the Corn Laws was founded on the principles of justice and wisdom? Will the supporters of the late Sir Robert Peel find any difficulty in asserting that the policy they themselves supported was founded on justice and wisdom? Do they not remember the last words of that great man when he resigned office in consequence of his commercial policy—"That the abundant food of the working people would be all the sweeter because it was no longer leavened with a sense of injustice?" The omission of the words "wise, just, and beneficial," is significant. If they had never appeared in the Resolution, the case would have stood in a different position. If this declaration were omitted from the Resolution adopted by the House, would not that omission cast a slur, not to be mistaken, on the policy of Sir Robert Peel, and give a sanction to the proceedings of those who caused the removal of Sir Robert Peel from office? Hon. Gentlemen who were formerly connected with that great statesman, and who are now sitting on this side of the House, may have their own views on the subject, but the world will think they have not done their duty to his memory, if through any maudlin sentimentality they refuse to place their votes upon record, that the policy he advocated was not a wrong, not a mischief, but was founded on eternal principles of justice. It is impossible we can regard the feelings of the Government on this occasion without sanctioning their conduct, and our course must be straightforward and business-like. Let those who really think that this policy has been unwise, unjust, and prejudicial, manfully say so; but let them who hold the contrary opinion as manfully declare that conviction, and not stultify themselves in the eyes of the country by listening to the gentlemanly fancies of the noble Member for Tiverton. I say the question of courtesy does not enter into the question at all. I make no complaint of any man who, thinking the policy of 1846 unjust and not founded in wisdom, votes against my hon. Friend's Resolution. But it is absolutely necessary also on other grounds that we should have something said of the justice of this policy; for, after all, is it not the great question between the two parties? Is there not a distinction of principle separating the two parties in this House from each other? and is it wise, by an artificial arrangement of this sort, to pretend to the world that there is an unanimity which really does not exist? They had this distinct declaration of Lord Derby, given just before the general election:—

> "He (the Earl of Derby) had by no means said he was prepared to abandon protection altogether, and to seek some other mode of relief. Not only had he not said that, and not only would he not say it, but that was the precise opposite of what he had said and of what he would say. What he said was, that whether opposed in that or in the other House, it was the purpose of the Government to seek to afford a just and equitable relief to those classes who, for the benefit of the community at large, had been the victims of the recent change in our legislation. And he believed that, on the part of the English people there was that sense of justice that they would consent to be deprived of a portion of the advantages they had enjoyed in order to reduce a portion of the burdens of those who were suffering unduly."

Now, it is precisely by insisting upon the word "justice," in the Resolution to be adopted by the House, that we shall aim an effective blow at the policy contained in the words I have thus quoted. We contend that by repealing the Corn Laws, we did render to every man that which was his due, and that is the meaning of the word "just," and that whatever arrangements may hereafter be made as to the public taxes, they must not be undertaken with a foregone conclusion that some great wrong has been inflicted on the landed interest, or that they are entitled to make up for such supposed wrong by pressing on the enjoyments or advantages which other classes of the community have obtained. It is against that principle that we have directed our Resolution, and it is with that view we have inserted the word "just." We have attacked the principle of monopoly, and in doing so we believe that we have attacked a principle which is in itself sufficiently unjust; and if we shrank from the assertion of this broad ground, it is my opinion we shall not have done our duty. I think, therefore, my hon. Friend has done his duty in submitting his Motion as it is, in all its fulness, and in not shrinking from the responsibility of inserting and insisting upon the words which have been called in question. It should be recollected, too—when we are charged with being actuated by party feeling in this matter—that my hon. Friend (Mr. C. Villiers) was never deterred by party considerations when his own political friends were in office from bringing forward, year after year, Motions embarrassing to the Government, rather than sacrifice a great principle. He is acting in the same way now—and I must say it is unjust to him, when he is pursuing a consistent and straightforward course, to charge him with having embarked in a factious opposition in pressing this Resolution. The argument, that as it is impossible to obtain a large majority for such a Motion, it is unwise to press it, has, it appears to me, very little weight. Do you suppose that the fact of a Government Amendment being moved, containing the adhesion of Ministers to the policy of free trade, with a view to defeat the Resolutions of my hon. Friend, does not indicate to the world that, so far as maintaining intact the past legislation is concerned, there is pretty nearly unanimity in the present House of Commons? No majority or divisions are necessary to show to the world that, at the present time the House of Commons is disposed to adhere to the policy of 1846. But we want to show to the world something more—we want to show that there is a large party in the House of Commons who believe that that policy was not founded on the low consideration of giving benefit to some at the expense of others, but on high principles of civil right, of reason, and of justice. I fear, if we shrink from our duty on this occasion, that the country will say "the House of Commons is somewhat rotten after all on the question of protection to the landed interest." The House of Commons has long laboured under that suspicion, and I caution hon. Gentlemen, that if an appearance of rottennesss be exhibited on this subject in this House, summoned as it has been on free-trade principles, there is nothing that will so strengthen the cry for Parliamentary reform. For believe me, it is because the people think that the policy of free trade was "just and wise," that they have supported it; and if you now decline to agree to these words in my hon. Friend's Resolution, they will say you have, after all, some covert intention of restoring, at some future time, that injurious system of monopoly under which they so long suffered —and there will be a loud and general expression of opinion in the country, "that our representation as it now exists is not a reflex of the popular view," and we must consequently turn our attention to the attainment of a large and searching measure of Parliamentary reform. As an advocate for such reform, and looking at the question in that light, I might not perhaps individually regret if my hon. Friend was placed in a minority—for I can conceive nothing so calculated to shake the confidence of the people in the present representative system as that this House should, thus quibbling about words, refuse to vote a declaration that a policy which has been attended with such singular advantages to the country is "wise and just." And what a monstrous anomaly is it, that the Government should tell us, "We are going to carry out a given policy which we admit has been attended with such advantages—but if the House should declare that that policy is 'just, wise, and beneficial,' we will resign." If the free admission of foreign corn is just now, it was so a few years ago; and if Ministers are honestly to carry out the policy on which that measure was founded, why are they ashamed of admitting that it was a "just, wise, and beneficial" policy? What do they mean? Do they want to have the opportunity of whispering against and assailing in secret the policy which they profess to be engaged in carrying out? Do they mean to carry it out, and say at the same time that it is "unwise and unjust?" If the Earl of Derby means, as he says he does, to carry out the principle of free trade honestly and fairly—as honestly as if he had been the original author of that policy—I should have thought he would have hailed such a Resolution as my hon. Friend has proposed as one eminently calculated to strengthen his hands, and to arm him with the most powerful argument against his adversaries, and by enabling him to say to them, "I do not act upon my own opinion—see here the House of Commons have resolved that the policy of free trade is 'just, wise, and beneficial;' I can hear of no objection against it, but must carry it out fully and fairly as I am pledged to do." I would call on my hon. Friends around me to stand by their own leader on this question —my hon. Friend the Member for Wolverhampton. The noble Lord the Member for Tiverton, and still less the right hon. the Chancellor of the Exchequer—neither the one nor the other has any right to come here and attempt to take the matter out of his hands. It is for the country and Parliament to pronounce their opinion; let my hon. Friend insist upon his Resolution; and let every honest free-trader vote for him, and I undertake to say their constituents will approve of their conduct.

Mr. MILNES GASKELL said, that notwithstanding the taunts in which the right hon. Gentleman the Member for Manchester had indulged, and notwithstanding the threat of Parliamentary reform with which he had just concluded, and which, in his (Mr. Gaskell's) opinion, was a better explanation of this Motion than any which had previously been given, he had yet to learn upon what grounds, so far as the assertion of any public principle was concerned, they were called upon to adopt the terms of the original Resolution in preference to those of the Amendment of the noble Lord (Viscount Palmerston). The real question they had to decide was, not whether unrestricted competition should be the rule of our commercial policy, for upon that point he apprehended that there was little difference of opinion, but whether the declaration of their intentions should be made in such a manner as to reflect upon the former conduct of a large minority in that House. If, indeed, there had been any doubt as to the intentions of the Government upon that subject, he could have understood the course which the hon. and learned Gentleman (Mr. Villiers) was pursuing; but after the distinct assurances which had been given, after the repeated declarations which had been made, both by the noble Earl at the head of the Government, in another place, and by his right hon. Friend the Chancellor of the Exchequer in that House, he owned it appeared to him that it was neither just nor generous to ask the House of Commons to affirm the Resolution of the hon. and learned Gentleman—a Resolution which only differed from the Amendment of the noble Lord in this: that it sought to affix a stigma on political opponents, and to brand with Parliamentary censure the line of conduct which they had pursued. It was true that the hon. and learned Gentleman the Member for Wolverhampton had disclaimed all party motives in bringing this question before the House; but the hon. and learned Gentleman and his friends had not thought it inconsistent with that disclaimer to inveigh in unmeasured language against the conduct of Her Majesty's Ministers. The hon. and learned Gentleman told them that the Earl of Derby had been tried by the constituencies of the country, and that he had been found wanting. Another hon. and learned Gentleman, the Member for the city of Oxford (Sir W. P. Wood)—and he (Mr. Gaskell) had been sorry to hear such an expression fall from him—had said that the Earl of Derby had no principles; and the hon. and gallant Member for Middlesex (Mr. B. Osborne) had called the advisers of the Crown a gang of political latitudinarians. Well, for Gentlemen who disclaimed party motives, this was tolerably strong language. But the hon. Member for Manchester (Mr. Bright) had gone still further, for he had charged the Government—and he (Mr. Gaskell) presumed also those independent Members of Parliament who intended to support the Government—with losing character with their friends in the country, and destroying their reputation for political morality. Now, upon that point, he (Mr. Gaskell) wished to make a few observations. His right hon. Friend the Chancellor of the Exchequer, had truly stated the other night, that the repeal of the corn laws had been mainly opposed upon two grounds: first, from the belief that it would be prejudicial to the interests of labour; and, secondly, upon the ground that it would inflict serious injury upon important classes: but there had also been a third ground on which that repeal had been opposed, and which had not been mentioned in the course of this debate, and speaking only for himself, a humble Member of that House, but one whose political morality could, he thought, hardly be impeached, he might be allowed to say, that it was that third ground on which he had chiefly relied in the opposition which he had felt it to be his painful duty to offer to that measure. He had felt it to be a most painful duty, for it had severed his political connexion with many personal friends for whom he entertained the sincerest respect and regard; and it had compelled him to vote in opposition to a Minister whose patriotism he had never questioned, the purity of whose motives he had never doubted, whose commanding abilities and high character he had always held in admiration, and of whose personal kindness to himself he should ever cherish the remembrance. But the chief ground of his opposition had been this: he had felt that a power which had been conferred by the constituencies of England for one purpose, ought not to have been exercised for another—that a Government which had displaced that of the noble Lord the Member for London for its free-trade budget of 1841, ought not to have been the Government to propose a total repeal of the corn laws; and that a House of Commons which had been elected to uphold the system of protection, ought not to have consented to overturn it. He might have been wrong in his opinion: the measure might have been wise and beneficial; he would express no opinion about that: but he (Mr. Gaskell) must still maintain that it had not been just to the great Conservative party in this country, or to the constituencies of the Empire, to pass it under those circumstances and at that time. It appeared to him, however, that now the case was altogether different; and after the lapse of so many years, when two succeeding Parliaments had sanctioned the policy which had been then adopted, and when some at least of the apprehensions which had been entertained were found not to have been realised by the event, it was too much to say that those who declined to vote for the reimposition of the corn laws were to be held guilty of political immorality. He concurred in the opinion which had been so well expressed by his hon. Friend the Member for the North Riding (Mr. Cayley), and by an hon. Baronet the Member for Hertfordshire (Sir Bulwer Lytton), at whose return to that House after so long an absence they must all rejoice, that as the new commercial system had been deliberately ratified by the people of England at the last general election, it was the duty of the Government and of Parliament to adhere to it. It could not be seriously contended that men were bound at all times and under all circumstances to give effect to the abstract opinions which they entertained. The hon. Gentleman over the way might laugh, but would any man of common sense either maintain such a proposition or act upon it? Had such been the practice of the party opposite? The noble Lord the Member for London had displaced the Government of Sir Robert Peel in 1835, by moving a Resolution which declared that no settlement of the Irish tithe question could be satisfactory which did not appropriate the surplus revenues of the Irish Church to secular purposes. Had the noble Lord acted upon that Resolution after his accession to power? No, he had refrained from doing so, and most wisely, because he knew that public opinion would have been opposed to him in such a course. But the noble Earl at the head of the Government had a better justification for his conduct now, than the noble Lord had had then, inasmuch as he had not acceded to power in consequence of any hostile Resolution which he had moved, but owing to the feuds and differences prevailing in the camp of his opponents. Then, said the hon. Gentleman the Member for Manchester (Mr. Bright) and others, how could they place any confidence in a Government whose supporters had made such extravagant declarations and expressed such conflicting opinions upon the hustings? Well, very possibly some of them might have done so; but was the noble Earl at the head of the Government the only man whose followers had done that? Why, there was hardly a single question, except that of our commercial policy, on which the Gentlemen opposite were agreed; and questions of organic change in the Constitution and of national defence were not so very unimportant, after all. If he (Mr. Gaskell) was wrong in this supposition, and if there was a majority on the benches opposite that was agreed in the maintenance of definite principles, and capable of harmonious action, let them bring the matter fairly to an issue, and move a vote of want of confidence in the Government. It was perfectly true that there were differences of opinion among Gentlemen sitting on that (the Ministerial) side of the House, on the subject of free trade. Some held that the Act of 1846 had been productive of almost unmixed benefit to the country; while others were of opinion that it had inflicted great hardship on a large and important class of the community. But no man was in any doubt as to the intentions of Her Majesty's Ministers on the subject; no man doubted their adherence to the policy to which the terms of their own Amendment pledged them. The real question before the House was between a Government which was prepared to carry out the commercial system which had received the deliberate sanction of Parliament and of the country, and was agreed upon other matters of high national importance; and a Government consisting of Gentlemen who might be agreed upon this question of commercial policy, but amongst whom, upon almost every other subject that could be named, there were irreconcilable, and vital, and endless differences.

Mr. SIDNEY HERBERT: Sir, I trust that the House will give me the opportunity of stating the course I intend to take upon this occasion, and of justifying that course by stating the reasons which, under circumstances of some difficulty, have induced me to come to the decision at which I have arrived. Let me first, however, assure the hon. Gentleman who has just sat down, and the right hon. Gentleman the Member for Manchester, who spoke before him, that, in coming to that decision I had elements for forming my opinion totally irrespective of the effect which an adverse vote would have upon the fate of the Government. When threats are held out by a Ministry, that in the event of the carrying of a Motion to which they are opposed, they will vacate their seats, that is a consideration which must weigh strongly with all those Gentlemen who are professed followers of that Government; but with respect to Gentlemen who are independent of them, the duty lies upon them to consider, not whether the Government will go out or stay in, but whether they will be justified in going out or in staying in. Sir, this has been said to be a question of confidence in the Government. If it is I never saw a question so mystified, nor was bungling ever carried to such an extremity of perfection. Did any one ever before see a vote of want of confidence which terminates with an expression that the House is ready and willing to consider any measures which Her Majesty's Government intend to bring forward? Well, but how does the question now stand? It will be necessary for me to explain the view which I have taken, and the reasons which have led me to adopt it, by referring—though perhaps it may not be quite regular to do so—to the Amendment no longer upon the table of the House. The debate commenced by two Motions originally given notice of by the hon. Member for Wolverhampton (Mr. C. Villiers), and the right hon. Gentleman the Chancellor of the Exchequer. Between those two Motions I could not have one moment's hesitation. I saw, as it had been well said, a Resolution moved by a Gentleman who proposed this question to the House years ago, and who had struggled for it under great difficulties and in small minorities. I knew that he had fought his battle with singular skill and consistency, and not without much labour had brought it to a happy issue. During the whole time that he argued that question—and they were warm times—I do not believe that he left a personal enemy upon either side of the House. Well, in opposition to a Motion made by the hon. and learned Gentleman, there was notice of an Amendment coming from a quarter which, upon this question, I own does not inspire me with confidence. After the speech of the hon. and learned Gentleman the Member for Wolverhampton, the Chancellor of the Exchequer rose, and I confess that his speech, able as it was—impressive in manner—ingenious in argument—left in my mind, as it did in that of my learned Friend the Member for the city of Oxford, who spoke last night, a most painful impression. He set out by stating that he was going to give an account of the course which his party had taken since 1846, which should be studiously accurate and impartial. When I heard those two words I certainly did feel some little alarm at what might be coming; but I was certainly surprised at the singular incorrectness which distinguished that speech. There are many Gentlemen on the opposite side of the House with whom I have long lived in relations not only of private friendship but political co-operation; and although I am no longer by party connected with them, I do not hesitate to say that their political reputation as members of a class which forms the chief element of stability in this country, and whose public virtue entitles them to public respect, is most important. It was not then without pain that I heard a statement made—a course described—which was in my mind an imputation of the deepest dye upon the character of those Gentlemen. We all recollect the period that intervened between 1846 and 1852. Was the country quiet? Was there no agitation upon this question? At market tables—in theatres—at protection societies, one hundred in number, was everything said with a view to secure the stability of the policy of 1846? For my part, I acquit the right hon. Gentleman the Chancellor of the Exchequer, as far as his own convictions are concerned, of the charge of having ever been a protectionist. I never for one moment thought he believed in the least degree in protection. I do not accuse him of having forgotten what he said or what he believed in those years. I only accuse him of having forgotten now what he then wished it to appear that he believed. I ask, then, hon. Gentlemen opposite, are they willing to thus stigmatise themselves? The noble Marquess opposite, the Member for Leicestershire (the Marquess of Granby)—a man of honour—a man professing opinions which, I think, under present circumstances, are unfortunate—what does he say? Did he not manfully stand up and say, "I repudiate the charge—I was a protectionist—I spoke for protection and I meant protection." The House might regret the course taken by the noble Marquess, but they could not but admire his consistency and his honour. But how will all this appear to the constituencies of the country? What will they think when they come to learn that a vast number of Gentlemen, holding very strong language upon the subject of protection—delaying the rearrangement of rents, which in some cases has become a necessity to the farmer, upon the plea that the Legislature would revise the system which established free trade—what will be their feelings when they hear that their object in agitating was not the restoration of protection, but to secure the stability of the commercial policy of 1846? Well, the noble Marquess has repudiated this charge; and he, let me remind you, is an authority upon this subject; for there was a time when the leadership of that party was put in commission, and there was a triumvirate established, which consisted of the hon. Member for Stamford (Mr. Herries)—the Nestor of protection—the noble Marquess the Member for Leicestershire; and the right hon. Gentleman the Chancellor of the Exchequer. The noble Marquess is, therefore, entitled to speak with authority upon this subject. But what were the words used on the formation of that party? Gentlemen have read passages from the speeches of individual speakers; and if I read extracts from speeches made by hon. Gentlemen opposite, I wish to guard myself against the supposition that I am going to taunt them with a change of their opinions. I am the last man who would do so, for I am in no position to speak ill of converts—I had had myself to pass through that ordeal, to break up political friendships, and to sacrifice office—whatever that may have been worth—because my convictions had been entirely altered on this subject, and because I thought it was not for a man of honour, holding opinions differing from those which he held before, to occupy a station of responsibility, and to shrink from attempting to give effect to those opinions upon a question on which immediate action was necessary. I have always felt that the great party opposite must give up the system of protection as merely a bubble, which but required to be full blown to burst. I expected them to give up protection. It is detrimental to the interests of the nation that a great party should be so allied to a principle which put them in a false position with the rest of the community, by advocating a system which gave them interests at variance with the interests of their other fellow-subjects. But when the history of a party comes to be correctly recorded, perhaps the principle upon which it was formed is more conclusive evidence of what were its intentions even than the course it may subsequently adopt, because events arise, men appear, circumstances occur, changes take place which serve to modify the course originally intended to be adhered to. I will therefore refer to the authority of Lord George Bentinck, who made a speech upon the occasion when first the party now sitting opposite were organised as a protectionist party. I find this statement in the speech of the noble Lord, and no man can accuse him either of disingenuousness, or of reserving his sentiments :—

> " The great end of that party which owns for its leader Lord Stanley, is first to recover the protection we have lost; but, failing that, to seek compensation in relieving the agricultural interest from the peculiar burdens they bear. . . . . The first matter is the recovery of the protection to native industry which we have lost. . . . You, the farmers of England, must do the work. You must not trust to your landlords."

And if the right hon. Gentleman the Chancellor of the Exchequer be correct in his history, it was indeed necessary that the farmers should not trust their landlords. Was that opinion, as expressed by Lord George Bentinck, acquiesced in? I find another speaker upon that occasion making use of the following language :—

> " But my hon. Friend has told you we are met here to-day not so much to moralise on the past, as to speculate upon the future. To his theme or plan every man of intelligence did respond. I know that what he states here he practises in another place; but I know and I trust that under other circumstances we shall retrace our steps."

And that was the language of the right hon. Gentleman the Chancellor of the Exchequer. He added a sentence almost applicable to the present time :—

> " Where is the great agricultural interest which is the basis of the polity of England, and has been so for centuries? I cannot believe that this nation—and when I say this nation I mean all classes—with their primary intelligence, will be governed by words—will be degraded to a mere distinction between hocus and pocus."

But have we any other authorities upon this subject? Have we any other evidence to guide us in determining what was the policy which animated the protectionist party from 1846 down almost to the present time? I find that in 1849 Lord Stanley spoke as follows :—

> " I hear it said that free trade has been adopted, and that we must proceed in that course. *Vestigia nulla retrorsum.* From that doctrine I dissent. I will not consent to take it as a *fait accompli* that protection to native industry must be abandoned. . . . . Every day's experience convinces me that you must retrace the steps you have taken. You must make part of your revenue depend on a moderate import duty—you must return to the principle of protection."

The same language was held in 1850; and in 1851, when a Government was attempted to be formed, it was always understood that the noble Earl did not succeed because he considered himself bound to re-establish a system of import duties. The noble Lord then said—

> " I cannot, as an honest man, abandon the attempt to relieve the existing distress by retracing the false step which has been taken, and to remedy the wrong done by the imposition of a moderate duty upon corn."—[3 *Hansard*, cxiv. 1021.]

Now I have not read these extracts to taunt hon. Gentlemen with a change in their opinions. It would not be open for me to do so, for my convictions on the subject of free trade have, like those of other men, undergone an alteration. I thought it was not my duty to hold one set of opinions and to act upon another. But to hold opinions and not attempt to give effect to them when I was in authority, and obliged by the circumstances of the time to legislate, I felt to be inconsistent with my character as a man of honour. Again, in 1849, I find that the hon. Member for Stamford, the President of the India Board (Mr. Herries), made a proposition in a Committee of Ways and Means for a fixed duty on corn, and that the right hon. Gentleman the Chancellor of the Exchequer supported that Motion; and I may say that the right hon. Gentleman's speech upon that occasion applies with peculiar force to the present discussion. He said that—

> " His own opinion was, that the suggestion which had been made that night was a politic suggestion, and would soon be a popular one. Its adoption might be mortifying to the vanity of individuals in that House. It might hurt and offend the self-love even of political parties. He deeply

regretted that circumstances should have precipitated such a proposition, but considering that there was not even an imaginary balance in the Exchequer, they (the Protectionist Members) were bound to leave on record—and the best record in the world was a free discussion in that House—their opinions on the present state of the Exchequer, and the best means of replenishing it."—[3 *Hansard*, cvii. 776.]

The Motion was brought forward, but the House did not divide upon it. Probably the same course was pursued then as in some other instances. The present Member for Liverpool (Mr. F. Mackenzie) may have reported that their benches were thin, the library full, and the coffee-room empty; and seeing this, the right hon. Gentleman may have suggested that it will be dangerous to risk the stability of the policy of 1846. Mr. O'Connell carried on the agitation for a repeal of the Union for many years after the one Motion for that object which he brought forward in this House had been rejected; but I am sure that he would never have thought of saying that his object was to secure the stability of the Act of 1800. I now come to the question whether a Resolution was necessary under the circumstances of this case. The right hon. Chancellor of the Exchequer says that the whole question was left to the decision of the country, and that the Government had announced their intention of being bound by that decision. Now, with respect to the necessity of a Resolution under such circumstances—the Government has challenged the opinion of the country. That challenge was given in a peculiar form, for which I am in no way responsible. The Government said that the question must go to the constituencies, and according as they decide we will decide. Well, the House met, and in Her Majesty's Speech there is a repetition—not of that challenge, but a singular question is asked, "If you think something which you don't, perhaps in that case you will do something which you won't." That language was felt by the House to be studiously ambiguous. When you want to avoid a division upon any great question, there are two ways of doing it. The one is to say nothing about it; and the other is, if you do say anything, say it in so ambiguous a manner that each party, reading it their own way, will rest content. That was the course taken by the Government upon the present occasion; and I confess frankly that I was extremely disappointed. I wished exceedingly to leave the matter peaceably at rest. I have no wish to find causes of quarrel with the present Government or any Government—the task of government in this country is quite difficult enough, without independent Members voluntering to throw more impediments in the way—but I did expect that the admission of the policy of 1846 would have been announced in words frank, plain, and intelligible. If there was any technical difficulty in putting words into the mouth of Her Majesty, in commendation or affirmation of any particular policy, where was the difficulty of inserting a plain, simple, and frank admission in the Address in answer? Failing in this admission, what could we do? What means had we of knowing what were the individual opinions of Members of Parliament who have been returned here to settle this question by the country? The right hon. Gentleman the President of the India Board tells us that the Member for Liverpool is a stanch Protectionist. We have as yet no means of knowing; so I take the right hon. Gentleman at his word. In order, however, that the opinions of hon. Gentlemen may be tested, this Resolution has been framed. I confess that this debate has not inspired me with any admiration of abstract resolutions in general, because I am more and more convinced, as the debate has gone on, that if men do not choose to be bound by words, it is impossible to bind them. Here, then, we have the Motion of the hon. and learned Member for Wolverhampton, to which the right hon. Gentleman the Chancellor of the Exchequer has moved an Amendment. With respect to the latter, I thought that the House ought not to accept it on account of its form and construction. It is not declaratory of the opinion of the House upon the question of free trade. It seemed more like a Resolution to test a divided Cabinet than anything else: with the duty and conscience of the Ministry the House have nothing to do. It is clearly not the duty of the House of Commons to lay down what is to be the business of the Executive. The House may intimate to the Government that such and such are their opinions; and if the Government bring forward measures in accordance with them, so much the better—if not, it is their own affair; but the Amendment of the Chancellor of the Exchequer states that "unrestricted competition" being accepted "after due deliberation" as the principle of our commercial system, the House is of opinion that it is the duty of the Government, and so forth. Now, that is not what we want to know. The House of Commons was dissolved to decide a great question. This Amendment states that there has been due deliberation. I am unaware that any deliberation in this Parliament has taken place upon this question yet. This Resolution ought to have been moved prior to the dissolution if it was proposed at all. But it is not our business to take the responsibility of deciding what measures the Executive should bring forward. If the Government thus delegate the question of what measures they are to bring forward to the constituencies of this country, I fear an inconvenient precedent may be set. I am aware that upon some questions of importance, previous Ministers may have done the same thing, in questions which were to close with the vote then come to; but in cases where constant legislation would be necessary, I do not say the principle of such a course is right, or that it is wrong—but I say that as a rule of action it is new; and although I give no opinion as to the effect it would have upon the reliance, in the opinion of the people, to be placed upon the morality of public men, still I say that I cannot see such a principle laid down without serious alarm. I therefore prefer the Resolution moved by my hon. and learned Friend the Member for Wolverhampton, to that moved by the Chancellor of the Exchequer. I cannot refuse to give my hearty consent to the fact that the measures adopted by this House in 1846 were "wise, just, and beneficial." I apprehend that the Government, who are about to introduce and carry out measures founded upon those very principles, "firmly maintained, and prudently extended," must think so too. I doubt whether they can deny that those measures which they are about to carry out, which they are about to develop, are wise, just, and beneficial. I confess, however, that I do think it impolitic to put these words into a Resolution, the object of which is, as I conceive, to pledge the largest number of persons who are willing to adopt the principles of free trade, and so to allay the agitation, and at once put an end to all false hopes upon the subject. The hon. and learned Gentleman has entirely denied any intention of inserting those words in order to wound the feelings of hon. Gentlemen opposite; but as those words, as they stand, bear that appearance, I confess, in my opinion I think they do; and I think in these matters generosity is the best policy—not only the best as matter of policy, but the best as matter of feeling. The more you conduct your discussions on the system of regular warfare, the better it will be for all parties. If you once establish a principle that no quarter is to be given, who, I ask, will ever yield? The whole history of this country is full of instances of party warfare terminating in this way. As the noble Lord the Member for Tiverton (Viscount Palmerston) truly observed, our system is one of political propagandism—we are all anxious to make proselytes—and therefore we ought not to repel a man, or a body of men, when they come over to our side with hard words and terms of humiliation. I must say, for myself, that I should lament to see a system established by which, when a person, or a party, from the lapse of time or the occurrence of fresh circumstances, sees reason to doubt the accuracy of his former opinions, is anxious to retrace his steps, and to adopt sounder views—I should regret the establishment of a system by which such person would be subjected to personal humiliation, before he was accepted as a convert. I recollect an observation made by a witty contemporaneous writer, to the effect that all religious sects in free countries succeeded in making converts except the Jews; and he asked rather quaintly how it could be expected that any man would become a convert to a faith, the profession of which must begin with a surgical operation? And in the same way I must say I feel strongly—being anxious to bring over as many as I possibly can to the standard under which I fight — that I shall not succeed if I tell hon. Gentlemen who differed from me in former times, that their agreement in opinion with me must be commenced by their doing penance—by putting on a white sheet and standing in the pillory for their former misdeeds. In all other respects the Resolution of the hon. Member for Wolverhampton has my hearty concurrence. It is my opinion, indeed, that it is in many respects not so strong as that which has been since moved. The words, as they were originally drawn by my right hon. Friend the Member for Carlisle (Sir James Graham), and moved by the noble Viscount the Member for Tiverton — those words omit everything that can be in any way offensive or distasteful to any hon. Gentleman—that is, provided he be a sincere convert to the principles of free trade — for they state that—

"It is the opinion of the House that the improved condition of the country, especially of the industrious classes, is mainly the result of recent legislation, which has established the principle of unrestricted competition, has abolished taxes imposed for the purposes of protection—"

The words here, you see, are not minced—there is no leaving out of any words which are necessary for the strongest assertion of the principle—

"and has thereby diminished the cost and increased the abundance of the principal articles of the food of the people. That it is the opinion of this House that this policy firmly maintained and"—

what is still more—

"prudently extended, will best enable the industry of the country to bear its burdens, and will thereby most surely promote the welfare and contentment of the people."

The House will observe that I am reading from the first notice of these Resolutions, and with the words omitted which have since been added, and to which, certainly, I attach very great importance—"without injury to any important interest." With regard to the repeal of the corn laws, I from the first held that *per se* to be an act of justice. I know I have been accused of holding too strong language upon that subject in this House; but I must say that the opinion which I held, and which I still retain, is this, that if any class is to receive by any means an addition to their income above the natural price of their commodities, it cannot be given in a way more offensive to the people of this country than by enhancing the price of wheat. I thought, therefore, that the repeal of the corn laws was only a restitution to the people of that which we, the landed interest, had been unjustly enjoying; and when Gentlemen talk of compensation, I say they have no claim for compensation. I do not by that mean to say that they have no claim to relief, if they as a class are more burdened than any other; but what I mean is this: I object to anything which has a tendency to substitute for protection something by which the same object may be attained by indirect means. Whether it be direct protection, or whether it be any enhancement of price by means of import duties, or whether it be fiscal protection in favour of any one class, it is all the same thing—it is inequality—it is favour—and, as such, it is hateful, and justly hateful, to the great mass of the people. Of the two Resolutions, then, I must say, that which has been last moved is in my mind the strongest. The right hon. Baronet the Secretary for the Colonies (Sir John Pakington) last night said that he could not vote for the Resolutions of the hon. Member for Wolverhampton, because, he said, how can I vote that no injustice has been done to the West Indian interest? Now, the words of the hon. and learned Gentleman's Resolution do not apply to sugar—they specify only the Act of 1846, in reference to the repeal of the corn laws.

SIR JOHN PAKINGTON: I beg to say, that I did not argue the question with reference to sugar at all.

MR. SIDNEY HERBERT: I am willing to submit to the correction of my right hon. Friend. I certainly thought he referred to sugar, and I was the more struck with his speech, and with the speeches of hon. Gentlemen opposite last night, because it appeared to me that there was a considerable difference between the speeches of last night and those of Tuesday. On Tuesday night they were all free-traders—not only for the future, but even retrospectively—in fact, they had never been anything else but free-traders. But it appears to me that they are now getting gradually back to their old position; and that as Tuesday night was devoted to satisfying the country, so last night was devoted to the endeavour to reconcile a party. I must say again, therefore, that the Resolution which was last moved is, in my mind, the stronger of the two, because the words embrace everything—there is no distinction made between sugar and anything else—it applies to all the articles which have been cheapened, and in that way it carries the principle of free trade farther than the other, and, therefore, I am better pleased with it. But then my right hon. Friend says some vindication is necessary to the memory of Sir Robert Peel, and he made a pointed appeal to some of us sitting on these benches, who had the good fortune to be his friends. Sir, I think the memory of Sir Robert Peel stands on a pedestal, from which no counter Motion, even if it could be carried in this House, could remove it. I knew Sir Robert Peel during my whole life almost—I admired him as a politician—I followed him as a leader—and I loved the man. He was a man, mind you, susceptible—proud, and justly proud, of the purity of his motives—jealous of his honour. I sat by him night by night on that bench when he was attacked by the foulest language, and accused of the meanest crimes. But Sir Robert Peel was a man of a generous nature—he was one who never rejoiced in the humiliation of an adversary; and he would have recollected this—that the humiliation, if humiliation it were, was an humiliation to be inflicted not only upon those who had assailed him, but also upon Gentlemen for whose character he had the warmest regard. I don't confound hon. Gentlemen opposite with those who calumniated Sir Robert Peel. I recollect even at the moment when party strife was embittered to the uttermost—when men's passions rose high—when great disappointment was felt at the course Sir Robert Peel had taken—even at that moment there were hon. Gentlemen opposite who continued a general support to his Government, and who never, when they opposed this very Bill, either threw a doubt upon his motives or assailed his integrity. I say, then, that the memory of Sir Robert Peel requires no vindication—his memory is embalmed in the grateful recollections of the people of this country; and I say, if ever retribution is wanted—for it is not words that humiliate, but deeds—if a man wants to see humiliation —which, God knows, is always a painful sight—he need but look there [*pointing to the Treasury bench*]. I give, then, on these grounds, my support to the Amendment of the noble Viscount; and in giving it, let me say that I give it as the last and crowning act of a great controversy. I rejoice with my whole heart I rejoice that to its wide words—its comprehensive terms—its completeness in every respect, a large majority of this House will give their assent. When we look back for the last few years—I think that, thankful as we are for the blessings we have enjoyed since 1846, we are too apt to forget the many evils which the same legislation has averted. At a time when all Europe was disturbed—when opinions subversive of all society were abroad—the contagion did not spread here. Even in a time of great commercial failures and of great mercantile distress, with a high price of bread to aggravate the sufferings of the people —then we had reason to be thankful—then you (the Government) had, above all, reason to be thankful for the legislation of 1846; for, if these laws had been then in existence, inflicting an injustice of which the people grievously complained—if the people had not been able to say—as, thank God, they could say—that "for the dearth, the gods, and not the patricians, made it"—then measures of a similar character would have been passed, but they would not have been passed alone. The country would have raised such a cry for reform, that even you, if you had sat upon those benches, would have been constrained to pass measures little short of universal suffrage. We do not consider enough the political as well as the social sufferings which have been averted by that measure. Sir, we have had a great warning—we have had a great escape. Let us know how to profit by the lesson; and in our future legislation, in which I trust there will be on that subject, at any rate if not more unanimity, still less of strife, let us never forget the danger which arises from attempting, in any shape or for any purpose, to give special favour or special exemption to any class or interest in this country.

MR. DRUMMOND said, it was impossible to rise in that debate, after the eloquent speech of the right hon. Gentleman who had just sat down, without feeling that he was greatly in need of some portion of that which the hon. Gentleman the Member for Middlesex (Mr. Osborne) had called "audacity," or, to use a milder term, "modest assurance;" for he could not help seeing that on the other (the Opposition) side of the House there was arrayed all the talents of the House, with the exception of the Chancellor of the Exchequer. He recollected a former occasion when the talents of the House were equally collected on one side of it:—but on that occasion they were on the side of the Government, whereas now they were unfortunately arrayed against it. But, notwithstanding the disadvantage of addressing such an assembly in such circumstances, he could not consent to be mystified and dragged through the dirt he did not know whither. He had a duty to perform to the constituents who had sent him to that House; or, rather, he should say, he had a duty to perform to those who had had no hand in sending him to that House —he meant the labourers of the district in which he resided. There was something due also to himself; and he must, for these reasons, endeavour to steer his way through the complicated mazes of the present debate as God should enable him. He was sorry to say that it seemed to him that the present was a mere debate with respect to "the difference between Tweedledum and Tweedledee," or whether twice three or thrice two made six. Nevertheless, if there was so much importance to be attached to words, it became him and most other Gentlemen to take care, he thought, how they pinned their sleeves to another man's words. He felt no difficulty on the subject himself. More than twenty-five years ago he had publicly advocated free trade in corn, at a time when hon. Gentlemen opposite were advocating a fixed duty, when Gentlemen on the Ministerial side of the House were advocating a sliding scale, and when the head of the Whig party in the House of Lords was declaring that any man who should seriously propose a repeal of the Corn Laws was a madman. Well, hon. Gentlemen opposite had first become mad, then Sir R. Peel and his friends followed, and now they were all pretty mad together. They had at length all arrived at very nearly a common agreement, and they must take care, that having arrived at a fixed conclusion, they did not suffer it to escape out of their hands. He, for one, thought that some such Motion as that which was now before them was absolutely necessary; and he thought that no weaker words than those which the hon. and learned Gentleman had moved were adapted to the occasion. If he had entertained any doubt on the subject before, what had taken place in the course of this debate would have been sufficient to convince him. He had never thought in the last Parliament that there was much wit or wisdom in hon. Members quoting *Hansard* against the Ministers, and he often wished that *Hansard* was at the bottom of the sea. He could not see how there should be any difficulty in a Gentleman confessing that he had changed his opinions. He confessed that he was somewhat surprised to find the leaders of parties in that House rashly saying things in opposition which they became sorry for when they entered office. But still he could not see anything humiliating in a man's saying that better information had enabled him to form a better judgment than he had been able to form on inferior information. But when hon. Gentlemen on that (the Ministerial) side of the House talked of changing the policy and reversing the policy of the country, it seemed to him perfectly clear that they neither understood what was the former policy of the country nor what it was now. Some Gentlemen talked of the repeal of the corn laws as if it were the commencement of a policy. It was nothing of the kind. It was the apex of a policy; it was the keystone of an arch that settled a policy which began at the conclusion of the war, and which overset a policy which we had always maintained from the earliest times. He thought that, without being very prolix or pedantic, he could, with the leave of the House, set this matter so clearly before them as to be quite patent even to the bucolic mind of the veriest Bœotian Member of that House. Hon. Members need not be alarmed that he was going into any long historical narration, when he reminded them that, if the truth must be told, the Anglo-Saxon had always been a stupid fellow, and that, when the Normans came to this country, they found nobody in the land capable of mending or making their iron coats and breeches. Accordingly, they brought over foreign artificers with them to assist in these operations. Those artificers the dull Anglo-Saxons called "Smiths," and hence the reason why there are so many gentlemen who rejoiced in that patronymic at the present day. But these artificers would not remain unless they had an assurance that no foreign manufactured armour would be allowed to be brought into this country. The same thing happened with the dresses of the women, and the furniture of their houses. Nothing that the Anglo-Saxons produced was fit for those who had been brought up at the Courts of Toulouse and Castile. The consequence was that Flemish artificers were brought over, whose names also still survive amongst us. These artisans insisted upon and obtained a monopoly; and this was the uninterrupted policy of the country up to the end of the last century—varied occasionally by circumstances, but never on system, or to any great extent. The battle between protection and free-trade was really fought at the end of the war between the Orders in Council and the burning of English goods by Napoleon. Lord Brougham had never received full credit for the part he had taken in that struggle when a Member of the House of Commons. It was said that "Love laughed at locksmiths," and in like manner necessity laughed at custom-house officers, for it so happened, that although we did not grow a blade of flax ourselves, yet the Admiralty was never at any single moment without any quantity the Navy wanted, notwithstanding the decrees against its admission. The fact was, that the system of monopoly was shown to be absurd. It was a mere question of money, and nothing else. That system was at last put an end to. But this country had little credit in putting it down. When Louis XVIII. was restored, Baron Louis, the French Minister of Finance, offered to our Government a complete free trade with France at an *ad valorem* duty of 10 per cent on every article whatever. Mr. Huskisson alone saw the advantage of it; but not a single Member of the Government took his part. The manufacturers took alarm, and opposed him. Nevertheless, he persevered; and from that moment we had gone on relaxing our prohibitions, one after another, until we had now at last come to the only true, just, wise, and politic course of trade, which left everything to unrestricted competition. He wished to ask, when hon. Gentlemen talked of going back to protection, were they going back to the time of William the Conqueror, or were they not? for he must remind them that it was not the repeal of the corn laws which would reverse their policy. But it was said that the words of the Resolution of the hon. Member for Wolverhampton were offensive. Now, it so happened that that very day he had received a letter, enclosing one of the earliest declarations of the Manchester League; and it was but just to those gentlemen to say, that the identical words which they were now accused of introducing for the purpose of inflicting pain were in that document. The words were, "We, feeling solemnly convinced that a bread tax is unwise, impolitic, and unjust." He (Mr. Drummond) long ago endeavoured to persuade the agriculturists that they must no longer look for monopoly but for compensation—not for compensation in the way the word was used now—but that they must look for it by reductions in the cost of production. For that he had contended frequently in that House, and the right hon. Baronet the Member for Carlisle told the farmers, years ago, that they had a right to insist upon that; and the hon. Member for the West Riding had said the same thing. But he confessed that it was getting more and more impossible to remedy these evils, because in many cases the evils had remedied themselves. Still, he thought it could not be doubted, that in the mode in which the corn laws were repealed, injustice was done to the farmers, who had taken their farms on leases, and he would be sorry, therefore, if the words in question, "just, wise, and beneficial," were insisted on, because they would prevent him, and there were many like him, who would be glad to go the whole length of the proposition otherwise, but who could not agree to a Resolution which was so subject to misrepresentation. An allusion had been made in the course of the debate to the conduct of the late Sir Robert Peel; and unquestionably nothing could be more disgraceful than the language which had been used towards that right hon. Gentleman in that House and out of it; for Sir Robert Peel had been accused of what he (Mr. Drummond) did not remember any other Minister being accused of since the days of Sir Robert Walpole—that he had devised a scheme of policy for the sake of putting money into his own pockets; and when that statement was contradicted and disproved, no apology was made, either in or out of the House. Great provocation had, no doubt, been given—a party had been overthrown—a party had been betrayed; and, in his own opinion, Sir Robert Peel had inflicted an indelible blow on that House, the effects of which they were then feeling. He said it not for the sake of the men now in office, but rather for the sake of those in opposition, that Sir Robert Peel had given a blow to public confidence in public men, which the present generation would never recover. That was the cause why the whole body of able men opposite were unable to unite for any good purpose, and unless they did unite, depend upon it their power would only be used for evil. If he were in a situation where he might give advice without being liable to the charge of officiousness, he would conjure hon. Gentlemen opposite not to be nice in their choice of a leader, but to get a leader somehow, if ever they hoped to be useful to their country or to the Crown.

MR. MUNTZ said, he had been one of the earliest opponents of the Corn Laws, for in 1815 he had worked day after day, in his native town, during a whole fortnight, in obtaining signatures to petitions against the laws which were then enacted, and he had ever since opposed them, because he believed from his heart that the principle of Free Trade was a sound principle. He did not, however, intend to say that the repeal of the Corn Laws was altogether just. He knew that by such repeal injustice might be done to certain parties, but he also knew that while the Corn Laws remained, far greater injustice was done to those who could not remedy the evil, he meant to those who had no power with regard to the making of laws. He felt bound, therefore, to lend his assistance to those who could not help themselves. He had heard some very extraordinary observations made during this debate, which led him to think that hon. Gentlemen on both sides of the House had exceedingly short memories. It appeared to him that hon. Gentlemen forgot that there had ever been any prosperity in this kingdom before the present time. They talked as if the present was the first time the country had ever been in a prosperous state. He was, unfortunately, old enough to remember many instances of prosperity, when this country had, indeed, been far more prosperous than it was now. He was willing to admit that the general state of the working classes was exceedingly satisfactory, and that within the last twelve months some improvement had occurred in the profits of their masters; but the prosperity of the present day bore no comparison with that of 1834, 1835, and 1836. The wages of a large portion of the artisans of this country were at that time 50 per cent higher than they were now. In 1817 and 1818, also, there was greater prosperity than now existed. In 1823, 1824, and 1825, the country was in a still more prosperous state, and it was well known that Mr. Robinson, now Earl of Ripon, the then Chancellor of the Exchequer, was nicknamed "Prosperity Robinson," because he made a speech upon the great prosperity of the country, which fell from under his feet in the course of the very next year. In 1834, 1835, and 1836, also, the great interests of the country were in a most prosperous condition; and 1843, 1844, and 1845 were acknowledged by the then Prime Minister, and by his supporters in that House, as the most prosperous years they had known. It must be remembered, also, that in those cases, prior to the repeal of the Corn Laws, they had not only greater but more continuous prosperity, than they had now. They had then three years, and as yet they had only two. He would ask the House—"Are you sure that the existing prosperity is going to continue?" He was examined in the year 1836 before a Parliamentary Committee, and he stated that within six months of that time there would be a general panic, because the balance of trade would then have turned against this country, and would lead to an export of the precious metals. The panic commenced within a week of the time he had fixed upon. Both the Resolutions before the House alleged that the present prosperous state of the country was mainly attributable to the repeal of the Corn Laws. Now, that was not his opinion. He recollected that in 1846, 1847, and 1848, after the repeal of the Corn Laws, not only was there no prosperity in the country, but a great many of those parties who had most zealously assisted in the repeal of the Corn Laws were so much afraid that he heard numbers of them say so great a mistake was never committed before. No one was more anxious than he was that Free Trade in corn, and, in fact, the principle of Free Trade, should be maintained; but he did not believe the prosperity of the country was mainly attributable to that system. He considered that the repeal of the Corn Laws was a very proper and sound measure, and he had assisted in promoting it, but he believed the great cause of the national prosperity was one far beyond the control of man. He believed the real cause of their prosperity was to be traced to the waggonloads, and he might almost say shiploads, of gold that were now almost daily brought into this country. He had heard an hon. Member on the other side say, "Why, what good does that do to the working classes?" He (Mr. Muntz) believed nothing ever did so much good to the working classes. The rate of discount was 1½ per cent; the Bank had 22,000,000*l.* of gold in its coffers instead of 2,000,000*l.*; the circulation was 23,000,000*l.*, instead of 17,000,000*l.* or 18,000,000*l.*; and this was the more gratifying because it was brought about naturally instead of artificially. Adam Smith stated that the discovery of the precious metals in the fifteenth century raised the price of all articles to four times their original value, and why should it not do the same now? With the exception of the term "mainly attributable," he had no objection to either of the Resolutions; but he thought it impolitic to introduce into such Resolutions words which might render it difficult for some hon. Gentlemen to swallow them. He knew very well that during the last thirteen Sessions of Parliament there had been very few men in that House who could dare to call one another names. Some remarks had been made as to what the people thought about these Resolutions and the conduct of Parliament. He would tell the House what the people thought about their conduct — the people were laughing at them. The people said, and with truth, "We are quite satisfied you can't re-enact the Corn Laws. We are satisfied the whole affair is settled, and we defy you to attempt it." Some people said, "What is to be done about the Government, for the old Tories are like a sucked orange—there is nothing left in them?" For his own part, he did not care who governed the country, so long as they governed well. He could only say that if the Government—he did not care who they might be—proposed good measures, which he believed were for the advantage of the country, they would have his support, and, if they did not, they should have his honest opposition. He would give his vote for the Amendment of the noble Member for Tiverton (Viscount Palmerston).

The MARQUESS of GRANBY: Sir, although I ventured to trespass on the House the other evening on the discussion which then arose, I hope I may be permitted to do so now for a short time in comment upon these Resolutions. I agree with the hon. Member who has just sat down, that it is impossible to approve of either Resolution; but I disagree with him so far, that I am unable to vote for either. My reasons are threefold. First, I cannot agree with the hon. Gentleman opposite that the prosperity of the country is as great now as it has been under a different, and as I think a wiser, commercial system. I admit prosperity exists, but I say it is not so great as it ought to be. In the second place, admitting prosperity, I say it is to be accounted for by other causes than those either of recent legislation or of unlimited competition. My third reason is this—supposing this prosperity to be owing to recent legislation, that this legislation is not stamped with the principle of unlimited competition. For these three reasons I find it impossible to consent to either Resolution. The hon. Member near me (Mr. Drummond) talked in a sneering way of making certain things clear to the "bucolic mind." I should be glad to know if any hon. Gentleman can enlighten the "bucolic mind" on what I am going to read. It is important for the questions which I shall put to be settled one way or other before the controversy comes to a conclusion. The facts which I shall presently refer to ought to be ascertained before we come to a decision. The questions I am going to put are these:—Colonel Torrens, in a recent statement, proved that the increase of population from 1831 to 1841 was 10 per cent, while the increase from 1841 to 1851 was only 1 per cent. Colonel Torrens also proved there was a commensurate extension of the agricultural interests in the previous years, and in the latter years a corresponding decline. Let these questions be settled before the House decides upon the Resolutions before it. Further, these assertions have been made and not contradicted, that there is a decrease in the production of wheat in Ireland and England of not less than 4,700,000 quarters; and I do think we ought to know whether this is the fact or not, and I hope Her Majesty's Government will make some arrangements, so as to be able to ascertain the truth of the assertion one way or other. We have tables for Ireland which we know show a decrease in wheat of 2,000,000 quarters and upwards; and so far as we can get at the English production, we have reason to believe there is also a great decrease; but there are no tables to show it. It is of great importance to have the question fairly settled. I think no man will say there is no danger of war between this country and a foreign Power. I hope sincerely there is no danger of such a kind; but the House has wisely decided that we shall be prepared for such a contingency. We have called out the militia —a measure which the House would never have sanctioned had it thought there was no danger, and that they were not likely to be called upon to defend our shores. The hon. Member for Manchester the other evening alluded to myself as being a subscriber to the translation of a speech by M. Thiers. I was in great hopes the hon. Member was going to make some quotation from that able speech; but not having done so, if he will allow me, I will do so instead. M. Thiers says, speaking of the repeal of the corn laws—

> "I do not hesitate, notwithstanding the glorious and just fame of Sir Robert Peel, to say that there was in the measure to which he has attached his name a temerity which, in some respects, must be considered as an imprudence. England at this time is obliged to take from abroad one-third part of her consumption of wheat, namely, 30,000,000 of hectolitres. These supplies being conveyed by vessels of 200 to 300 tons, require from 8,000 to 10,000 vessels. It is true that the same vessels make the voyage several times, which reduce the number to 2,000 to 3,000 vessels plying constantly on the seas. England has said, 'I am mistress of the seas.' It is true, that if we look into the history of the present century, we find that while victory, for a time at least, accompanied us constantly on the Continent; at sea, on the contrary, in spite of the heroism of our men, everything was misfortune. I know that in her last struggle with us England conquered; but it is also known of what formidable navigators Napoleon foresaw the future destiny when abandoning Louisiana to the United States, he said to M. Marbois, 'I may, perhaps, be conquered, but I prepare my revenge.' I know well what will happen; at the present time in England they are turning much land into pasture; they will hasten to grow corn again on this land, but at what price? they provide bread for the English people at pre-

sent at a very low price; I do not deny it; but suppose a war. Although England should remain mistress of the field of battle, the charge for insurance alone will raise the price of bread in time of war, just as it raises the price of sugar. Then that nation will see in a few days bread doubled, and perhaps, trebled, in price; whatever they may say, this is a future which no prudent nation ought to defy."

Now, this was the opinion of a Frenchman—not of an English landlord who wishes to raise his rent and have a protecting duty on corn for his own immediate purposes—and, therefore, entitled to some weight. We must also remember, that in the great man whose remains we lately conveyed with so much honour to their resting-place, we lost more than an army. I beg the House to consider that it is necessary to have some information as to the assertion of the diminished quantity of wheat, as to price, and as to land going out of cultivation. It appears from Colonel Torrens' abstract that the increase of real property between 1815 and 1843 has been 58 per cent, while from 1843 to 1850 it has only been 10 per cent. That personal property from 1815 to 1843 increased 37 per cent, but actually declined 5 per cent between 1843 and 1850; that our exports from 1831 to 1841 had increased 35 per cent; but from 1841 to 1851 only 23 per cent; and that our imports of raw materials, and the consumption of wool had not increased nearly so much in the latter period as in the former. I do not ask the House whether, considering all the improvements which have taken place—considering the energy and enterprise which have been elicited—considering the advantages we now have in the inventions of machinery—in the inventions for bringing out the wonderful power of steam by land and by sea—I say, considering all these circumstances, and all the advances of the age in inventions and science, am I not entitled to ask if we are not, in point of fact, in a stationary state, rather than in that state of progress we are entitled to expect? I will now proceed to my second reason why I cannot support the Resolutions. I admit the prosperity of the working classes; but I am anxious for truth, and the whole truth, to be shown to the House. I cannot accept the speech of the mover of the Resolution as stating the whole truth. That hon. Gentleman, in his very able speech, argued the question as though the basis of the wages of labour remained the same. He taunted Lord Derby for venturing to say that the wages of labour had declined with the price of food. He went on to tell the House of the advantages the people had derived from the cheapness of food, always supposing wages to be the same. He took the price of corn at 70*s.* at one time, and at the other time 48*s.*, and argued that the labouring classes had benefited by the difference. I do not think it was quite fair putting the price at 70*s.*, for that is an extraordinary and exceptional price, and not naturally the result of the corn laws. But take the price as the hon. Member stated it, and I will show that the labourers of Cambridgeshire and Leicestershire are not better, nor so well, off by recent legislation as they were before. I think the hon. Member said the result of legislation had been to cheapen the principal articles of consumption to the poor man to the extent of putting into his pocket 2*l.* 10*s.* yearly. The hon. Gentleman enumerated four principal articles which entered mainly into the food of the poor man—such as bread, sugar, coffee, and tea. Now, wages in Cambridgeshire, since free trade, had been reduced from 11*s.* to 9*s.*; in Leicestershire, from 12*s.* to 10*s.*—that is, a reduction of 2*s.* per week has been made in wages, which amounts to 5*l.* 4*s.* in the year. I do not ask the House, in taking the hon. Member's own calculation of the saving to the labouring man, and my statement of the reduction in wages, to say whether they think that the reduction in other articles has been sufficiently great to make the labouring man better off now than before. In Cambridgeshire they say they are a little better off, but in Leicestershire they are not so well off. This brings me to another point, to which I beg to call the attention of the hon. Member for the West Riding. It is said that, in endeavouring to meet foreign competition, manufacturers have been obliged to produce articles so worthless that they do not last half so long as those formerly produced when they enjoyed protection. If you visit the labourers' cottages the complaint of the wives now is, that cotton gowns were cheaper, but they lasted so short a time that they gained nothing by cheapness. I call the attention of the hon. Member for the West Riding to the fact, in the hope the manufacturers will meet competition by other measures than that of reducing the value and quality of their articles. I admit fully that the labouring classes generally are better off than they were; but I say they owe that advantage, not mainly to the cheapness of food, but to other circumstances. In all sciences there is nothing so difficult to discover as the true causes of special effects, and in politics especially this is more than commonly the case, because of the party heat and passions of those who discuss these questions. I ask the House to bear with me while I endeavour to discover the source of the prosperity of the working classes. The hon. Member for Birmingham (Mr. Muntz) has spoken of the vast supply of precious metals which has poured into this country. I take that to be one of the causes of prosperity. In five years 85,000,000*l.* has been added to the currency of the world, which was before estimated to amount to about 450,000,000*l.* Thus 21 per cent has been added to the total currency of the world. Adam Smith says that an increase of 20 per cent in any article will reduce its price 50 per cent, and yet the hon. Gentlemen opposite say the late increase of the precious metals has had no effect on the price of money and other articles. Let us consider what was the amount of specie in the Bank of England for the last nine months:—

On January 2nd it was......	£17,000,000
On March 27th	19,000,000
On June 26th	21,000,000
On September 26th	21,000,000
On November 13th	20,000,000

You will perceive that in September it was 21,000,000*l.*, whereas on November 13th it was 20,000,000*l.* Now, during this period there was imported into this country 4,000,000,000*l.* of gold and silver by the West India steamers, 2,500,000*l.* from America, and 5,000,000*l.* from Australia, making a total, in six months, of no less than 11,000,000*l.* of gold imported into this country; and yet we find there was no material increase of specie in the Bank of England all that time, clearly showing that gold had gone out of the country to pay for articles imported—and showing that if it had not been for the large importation of gold you would have had a return again of the panic and misery of 1847—and this has taken place under the operations of your boasted free-trade measures. I am therefore entitled to say, had it not been for the opportune discovery of gold, your free-trade measures must have proved a decided failure. I come now to the emigration, as the second great cause of prosperity. There have been for five years no less than 312,000 persons who have annually left their homes, left this country, for a country in which their labour is protected. The hon. Member for Manchester denied that fact; but can any one suppose that this large emigration has not benefited the labourer, by rendering the competition for labour less severe, and by making fewer the number of hands wanting labour: and can any one suppose, that if it were not for emigration, that wages would have kept up as they have done? Let the House still further recollect, that in addition to the relief of pressure on the labour market, by the number of persons who have emigrated, each emigrant lays out a considerable sum of money on his outfit. The third-class emigrants' outfit is calculated to be not less than 5*l.* 10*s.* The fact is, the emigrant spends the hard earnings of a life in a single week. Multiply the sum of 5*l.* 10*s.* by the number of emigrants, and you will find that near 2,000,000*l.* sterling has been spent on the outfit of emigrants alone. Then look at the loss this country is sustaining by emigration. We are told, and told truly, that the people emigrating are not of the lower classes; but that many of the wealthier classes are leaving the country. It is no very high estimate to say that each spends 40*l.* out of the country. That would amount to 12,500,000*l.* taken away from the country; which, capitalised, would show a sum of 374,000,000*l.* withdrawn from this country. The prosperity which exists I place to gold and to emigration. I believe these are the main causes of the present prosperity—speaking generally—of the industrious classes. The quotations made by the hon. Member for Manchester, who included one of mine among other hustings speeches which he cited, place me in a very intelligible position, though my language might not have been very Parliamentary: "He would ride the horse Protection so long as he was fit to go out with, but when not fit he would take the beast of burden as far as it would carry him." I am obliged to the hon. Member for quoting the passage, and shall not disavow it. I have endeavoured to explain the reasons why I cannot vote for either of the Resolutions proposed. I agree with an hon. Gentleman opposite who spoke this evening in thinking that the whole thing is a *hocus-pocus.* The Resolution is the *hocus*, and the Amendment the *pocus.* I have now endeavoured to explain to the House the course I feel it my duty to take on the present occasion. I shall vote against the Resolution of the hon. Member for Wolverhampton, and I shall also vote against the Motion of the noble Lord the Member for Tiverton.

Captain FITZROY said, he begged the attention of the House while he explained the reasons for the course he felt himself imperatively called upon to pursue on the present occasion. It appeared to him that the course which an independent Member must take on the present occasion was one of very considerable difficulty. It appeared to him extremely difficult to pursue any course in a manner at once satisfactory to his own conscience, satisfactory to the public who were much interested in this question, and satisfactory also to his position in that House, where friendly associations, if not party ties, more or less surrounded every man. With respect to the different propositions now submitted to them, he should be ready, and he should be most anxious, to accept the Amendment moved by the noble Lord the Member for Tiverton (Viscount Palmerston), as affording to the principle they were so anxious to secure all the security that could be given to it by a Resolution of that House. But the case unfortunately was not submitted to the House in a manner that would allow him to express his free opinion with respect to the vote he was about to give on the abstract merits of the question. The Amendment did not present itself to him in the shape of an abstract Motion, to which he could say aye or no; but it was preceded by a Resolution which embarrassed extremely the course he had to pursue. He was anxious that the hon. Gentleman (Mr. C. Villiers) who had brought forward the original Resolution should feel himself justified even now in withdrawing it from the notice of the House. He would earnestly entreat him, in order to secure the unanimity which it was so important for them to arrive at, if it could be consistent with his sense of duty to the public, to withdraw that Resolution, which could only act as a bone of contention between parties who had one common object in view. But he could only ask himself what course he was to pursue, so as to place his own character in a satisfactory light to those who had sent him to that House? The only distinction that existed between the Resolution and the Amendment consisted in the three words which asserted the policy of Sir Robert Peel to have been "just, wise, and beneficial." Before he addressed himself to the reasons that induced him to give his support to that proposition, he would state his reasons for thinking that one or two extraneous matters had been introduced into this discussion which were hardly worthy of the occasion on which they had been brought forward. It had been stated by some hon. Gentlemen opposite that the present vote was one of want of confidence. As far as he was concerned, most unequivocally and most decidedly he entertained no such opinion, and he thought the Ministry arrogated to themselves a position they were not entitled to hold, when they assumed that a Resolution under any circumstances, in the present conjuncture, could be brought in the shape of want of confidence. Votes of want of confidence were directed against Administrations whose policy was well recognised, and whose principles were intelligible. If Parliament disapproved of their policy, after placing them in repeated minorities, it was usual to proceed to record a vote of want of confidence. But when they looked at the manner in which the present Government had arrived at office, and at those admissions which the right hon. Chancellor of the Exchequer had most carefully, studiously, and diligently made, that they held no principles at all, that the Government was formed on no principle, and that it assumed the functions of the Executive to bow to the dictates of the Legislature, then he said this Government was not justified in arrogating such a high position as to talk of votes of want of confidence. When it was inconvenient to discuss abstract propositions, it was convenient to distract attention by such an assertion; but he begged to tell them, and he believed he expressed the feelings of the majority on that side of the House, there was no such feeling in the course he was about to take. It was said that the words to which the Government objected were hurtful to the feelings of hon. and right hon. Gentlemen opposite. He would not wilfully do anything to hurt the feelings of any man in or out of the House; but it appeared to him they should lower the dignity of the cause they were advocating if they were guided by considerations of what feelings they might or might not hurt. He must say it came with an ill grace from hon. and right hon. Gentlemen opposite to be so susceptible of their own feelings, when it was remembered how little the feelings of at least one party in that House had been consulted during the last six years. These were extraneous matters. The question was simply whether they would maintain that the policy of Sir Robert Peel was wise, just, and beneficial. He had only one prominent duty to perform, for which he had been sent to that House, and that was, to endeavour to render that policy as secure and unshakeable as any Resolutions of that House could make it. And although he had listened with great delight to the eloquent appeal of the right hon. Member for South Wiltshire (Mr. S. Herbert), who said that the memory of Sir Robert Peel required no better tribute than the adhesion of a majority to his policy, he (Captain Fitzroy) felt that it was a matter of personal consideration, and, having enjoyed the confidence of that great man, he should be wanting in respect to his memory—if the hon. Member for Wolverhampton should persist in his Resolution—if he (Captain Fitzroy) should shrink from asserting by his vote that his policy was just, wise, and beneficial. The question he had to ask himself was, is this policy just, wise, and beneficial? If it be so, as you—the Government—have decided by the adoption of it, why should he shrink from declaring it to be so? He was induced to vote for the Motion of the hon. Member for Wolverhampton by one other consideration, which he thought ought to have some weight with other hon. Members. The public out of doors could not attempt to follow Members within doors in all those tedious windings, intricate mazes, and subtle distinctions, which were, by some means or other, devised in order to prevent a clear, intelligible Resolution being placed on the books of the House, declaring aye or no in favour of the proposition. The public would look with great doubt, embarrassment, and difficulty on the course of proceeding with reference to the Resolutions. There was first the Motion of the hon. Member for Wolverhampton, which was applicable to the great majority of Free Traders; next, the Amendment proposed by the Government, who, certainly, in their character of Free Traders, could not expect that the public would have much confidence in them; and then that Amendment was withdrawn for the purpose of substituting another, which had been purposely framed by the noble Lord the Member for Tiverton; and at the present moment the result was that the people out of doors were fairly and completely puzzled. Under these circumstances, the most natural course for the public to take, with the view of forming a correct judgment on the merits of the several Resolutions, was to ask who the men were who proposed them. They would say, "Show us the authors of the Resolutions, and we will tell you as to the sincerity of their intentions." He could not forget the last few words of Sir Robert Peel, when he made his last appearance on the benches opposite—those memorable words, which had been or were to be inscribed on the pedestal that was erected to his memory by the grateful working classes of Britain—he could not forget that memorable occasion, at once of triumph and disaster, when foreign nations saw the most popular and powerful Minister in England for years hurled from his seat by a combination of the very men who were now pretending to cavil at the combination of different sections on the Opposition side of the House—he could not forget that moment when Sir Robert Peel attributed to the hon. Member for the West Riding (Mr. Cobden) the real authorship and the real conduct of the Free-Trade policy. He stated in unequivocal terms that its success was mainly owing to the "unadorned eloquence" of that hon. Member. [*Laughter.*] Hon. Gentlemen opposite might disapprove of that observation, but of this he was sure, that they would always support the justice of the sentiment—

"Palmam qui meruit ferat."

He was convinced that no man in the House would rob any one of the political justice which was due to him. Seeing, then, that the right hon. Gentleman, under whose leadership he (Captain Fitzroy) had placed himself up to the last moment of his public life, gave the hon. Member for the West Riding the full credit for having been the successful originator of the policy, he could not but think that the public would view with suspicion the conduct of hon. Members on those (the Opposition) benches, if they refused to support a Resolution which was introduced by those who had been the earliest, and were now the successful advocates of that policy, and gave their votes in favour of an Amendment which, at all events, had been brought forward by far more recent and supicious converts to Free Trade. It was upon those grounds, and because he felt he owed a debt of gratitude to the distinguished man whose policy he now defended, and in order that his conduct might appear before the public without chance of misconstruction or mistake, that he intended most decidedly to give his vote in favour of the proposition of the hon. Member for Wolverhampton.

Mr. KENDALL said, that notwithstanding the sneers that had been cast by hon. Members opposite on protection, he was anxious, indeed the more anxious on that account, as a Protectionist Member, to declare his adhesion to its principles, and to add, that nothing he had heard (and what had one not heard since Parliament had met?) had changed his convictions; and further, that it was his belief that, unless circumstances apart from free trade prevented it, before many years passed the probability was, that the working classes themselves would, in self-defence, demand an import duty on corn, and that there would be a still more clamorous party for the same—he meant hon. Gentlemen opposite, who now represented the manufacturing interest. He rose principally to record that sentiment. He would not, however, for one moment be supposed to have a lurking wish that any import duty upon corn, either directly or indirectly, should be attempted. An appeal had been made to the country, and the verdict had been most decided; and he would simply ask, whether the country Gentlemen could have met their defeat with better feeling? There had been no question raised as to the manner in which that verdict had been obtained; but it might have been. There had been no counter-charge of farmers deluded; but there might have been. There had been a quiet submission to a victory gained. Why, then, insult them by those three words, so properly designated "odious?" for there was, to use the phraseology of hon. Gentlemen opposite, "no more odious dose for an honest country gentleman to swallow than a sentiment not his own." Hon. Gentlemen opposite forgot, or seemed to forget, the difference between an agreement as to what was the opinion of the country, and in adopting that opinion as one's own. Though an ultra-Protectionist —one who had sacrificed comfort, and even private friendship, to its principle—he, for one, fully acquiesced in the opinion that the country at large adopted the other principle of free trade, and that it would be madness to oppose it; and that, the question once settled, it was the duty of every man in that House to carry out that principle. Why should more be required? He must, then, decidedly oppose the Resolution of the hon. Member for Wolverhampton. Nor could he have supported the Amendment of the Chancellor of the Exchequer, nor could he its substitute, though he believed, without loss of honour, principle, or even the slightest consistency, he should be able fully to support Her Majesty's Ministers; but, as his own experience, and that was very considerable, in a densely-populated neighbourhood, told him that the prosperity, which was great, was not mainly attributable to free trade, he could not subscribe to those words. He did not deny that free trade was an adjunct now, but, till other circumstances arose, it was a dead letter. He did not speak of a district, he spoke of a division of a county; and what held good for a part, held good for the whole; so that he was bold to say that one of the counties of England—Cornwall—did not owe its now rampant prosperity mainly to free trade. If he was wrong, let the Members of the Western division on the opposite side set him right. It could not be denied that in 1850 (say this time two years) the Act of 1846 was in full force, and that corn was cheaper than at present. If, then, he stated that about two years since there was want of employment in Cornwall, both as regarded its mines and its agriculture, and if he showed that poverty existed then, and that it continued to exist till circumstances foreign to free trade came into play, he should make out his case—namely, that free trade had not mainly contributed to the great prosperity that existed. Now, what had brought about the change as regarded the agriculturists? A few years since, when there was great distress, emigration commenced, and the accounts had been so favourable that thousands—many of their ablest and steadiest labourers—had quitted our shores, and the consequence had been, that these men, whom the farmers would hardly look at, were now in request, and not only in request, but at advanced wages. Cheap bread was a great adjunct to their comfort, but not the main cause of it. Again, as to the miner. Two years since, many were unemployed, and the wages very low. The price of metal was at 90*l.* per ton; foreign mines were pouring their ores into England, and their metals into our foreign markets — suddenly there was a discovery of gold, and he alluded especially to Australia; the copper mines there were deserted. There was no Australian copper to compete with our copper, but Australian gold to enhance its value. Metal was now 130*l.* per ton; higher by far than for twenty years. Miners were in request; wages were very high. Cheap bread was an adjunct to their comfort, but not the main cause of it. Had he not, then, made out his case? Still free trade, it was acknowledged, must now be the principle; and since hon. Gentlemen opposite had all they wished for, and more than they expected, and since, as he hoped, they would have all the assistance from his side of the House in furthering their views, he trusted they would not only not oppose, but generously and humanely assist in carrying out such measures of the Government as might relieve the agricultural classes, whose patience under their sufferings made them the more worthy of every consideration.

MR. BLACKETT said, he wished as a new Member to state the reasons which induced him to vote for the original Motion of the hon. Gentleman the Member for Wolverhampton (Mr. C. Villiers), rather than for the Amendment of the noble Lord (Viscount Palmerston). The main ground on which that Amendment was recommended to the consideration of the Free Trade party was, that it was highly desirable that any Motion embodying the sanction of the House to the Free Trade principle should not be defeated, or be carried merely by a small majority. With regard to the possibility of a defeat, that did not fill him with any serious apprehensions; on the contrary, he thought that such an event would be attended with one or two very compensating results. It would put the Free Traders completely on the alert, and prevent them from being lulled into a state of false security, and prepare them to meet their opponents at future elections. Supposing the Motion should be carried by a small majority, he certainly should be sorry for it; but there was one thing which he should be still more sorry for, and that was, to see the Motion carried by a sham majority. And this led him to ask what was the true object of the Motion? The right hon. Gentleman the Member for South Wiltshire (Mr. S. Herbert), had laid it down that the object of the Resolution was to obtain as large a majority as possible. With all submission to the right hon. Gentleman, he (Mr. Blackett) was of opinion that the true object of the Resolution was to enable the people of this country to ascertain who were true Free Traders, and who were insincere professors of that policy. He must believe the evidence of his own eyes and ears, and he could not, even by the utmost stretch of courtesy, conceive it possible that men could be equally sincere in the advocacy of two directly opposite propositions. At the election for North Northumberland, to which the right hon. Baronet the Member for Carlisle (Sir J. Graham) had last night referred, the noble Lords who were elected —though they did not profess themselves willing to restore a duty on corn—yet they succeeded in creating an impression that the establishment of Free Trade in the abstract would be the special object of their hostility. Yet, now they had the right hon. Chancellor of the Exchequer recommending this system to their favourable consideration under the gentle *alias* of "unrestricted competition." The noble Lords in question attributed the prosperity of the country to the same causes as those referred to by the noble Lord the Member for North Leicestershire (the Marquess of Granby), and they had certainly created an impression among the farmers that they would, if returned to Parliament, attempt to modify, and, if possible, to cripple that very system of Free Trade which the Amendment now before the House called on the Government to develop to its fullest extent. He believed that the noble Lords he had alluded to were Protectionists at heart, and, therefore, he called upon the Free Traders to look about for some more stringent test than was to be found in so vague a Resolution as that proposed by the noble Lord (Viscount Palmerston). The three odious epithets, as they had been called, were only capable of being accepted by a true Free Trader. It was that circumstance which recommended those three epithets to his mind, and, therefore, he should cordially support the Resolution of the hon. Member for Wolverhampton.

COLONEL SIBTHORP said, he would not detain the House long. He was anxious, however, to express fairly and freely what his opinions were. First of all, he begged to avow that he was still a Protectionist. He was ready to vote for any proposition for the reimposition of a duty on foreign corn, and to put a duty on all foreign articles imported into this country which interfered with the industry of the people. As to the Resolutions just now before them, he could only say he looked with great caution and with great suspicion on everything which emanated from either one side of the House or from the other.

"Cautus enim metuit foveam lupus, accipiterque
Suspectos laqueos."

He had found it the best course always to see well and consider before he gave his assent to any proposition, and, above all, to look well to the motives of the man who made it. He never liked to leap in the dark. The position in which the House was placed was like that of certain criminals who were buried at the meeting of three crossroads. He had no wish to be buried in any crossroad, but wanted to take a straightforward, plain, honest course. The hon. Member for Wolverhampton (Mr. C. Villiers) had ever been consistent, and had always pursued an honourable course; but, when he called on him (Col. Sibthorp) to say the measure of 1846 was "wise, just, and beneficial," he must at once tell the hon. Member he did not consider that measure was worthy of his sanction or support. It was painful to wound the feelings of any one, and he could have wished that there had been less allusion made in the course of that debate to a great statesman now no more. He had had the honour of enjoying that statesman's friendship, and, he might say, his hospitality, and at one time he thought Sir Robert Peel was the only man who could really save the country; but the measure of 1846 had completely changed his (Col. Sibthorp's) opinion on that point. He denied the prosperity these measures were said to have produced. Let them go to the farmer, the tradesman, the labourer, and ask each of them what he had been and what he was now, and they would soon find out the truth. Why, half of the farmers were on the parish. And then they talked of emigration as a means of improving the country! Did any one ever hear of improving a country by sending the people out of it? When all classes had been injured by these free-trade measures, as they were called, and when nothing else could be done to ruin them, they had got up the Great Exhibition. Talk about the good effects of that display! He affirmed that one effect of it was that there never was more disease in the metropolis than ever since. The noble Lord's Resolution was a trap to catch the unwary, but he had not been caught in it yet. He believed the day would come when those who advocated the cause of Free Trade would admit with sorrow that they never were more mistaken in their lives. For himself he should walk out of the House, for he would not vote for either of their Resolutions. He would not do anything to place his countrymen in the power of those whom he looked on as plunderers and robbers from the beginning, and who would first rob us of our trade and of our independence, and then rob us of our honour —males and females. In the meantime he would wait patiently, and see what the wonderful promised measures of Her Majesty's Government were; he would look before he leaped.

MR. WARNER said, he had no wish to press himself on the attention and patience of the House after so long a debate, but as the representative of a very large constituency (Norwich), who were deeply interested in the matter in question, he felt that he should not be doing his duty if he did not, though a new Member, give to the House some of those reasons which induced him to support the Resolutions, characterised, as he understood, by the right hon. Gentleman the Chancellor of the Exchequer as odious, insulting, and factious. If he could for a moment believe that the Resolutions were brought forward in a factious spirit, with any intention of embarrassing a new Government in a new House of Commons, with any intention of depriving Ministers of that full and fair hearing which was the birthright of Englishmen, he would never give them his support. But it had been satisfactorily shown by those who supported these Resolutions that they were not advocating the cause of a party, but of a policy, not seeking to strike at the stability of a Cabinet, but to consolidate the broad foundation of the commercial prosperity of an empire. He thought it had been triumphantly established by hon. Members on his side of the House, that these Resolutions were, like the policy of 1846 itself, wise, just, and beneficial; and it had been proved with equal success on the other side of the House, that some such Resolutions as these were necessary to the peace of the country, and to the reputation of the House for consistency. He did not consider that this was a question of confidence or no confidence in Ministers, and he regretted that the Chancellor of the Exchequer had thought fit to view it in this light. He believed that the House had a duty to perform, which was paramount to all considerations of party politics, which would cast into the shade of insignificance the destinies of a Ministry, or even, if it must be so, the untimely fate of an embryo policy. It was well known that delusive hopes were cherished by large numbers of the agricultural population of the country—hopes that Parliament was going to do something for them to relieve them from the necessity of depending for success, like the rest of the world, solely on their own energies and their own resources. These delusions were diligently propagated by the hundred Protection societies, whose continued existence and activity were attested by Mr. Paul Foskett; they were aggravated by the hustings speeches of hon. Gentlemen opposite, by the oracular declarations of the Chancellor of the Exchequer, and by the words which he had put into the Speech from the Throne. It was the duty of this House to dispel these false and fatal delusions, to terminate the war of classes, the antagonism between the commercial and territorial interests of the country, and to affirm the great principle of its future legislation in terms which no farmer should misunderstand, and no farmers' friend should mystify. He did wish that the Resolution could have been so framed as to answer this great end, and yet be pleasing to all sides of the House. But he found from the debate that this was impossible, and therefore, without any factious motive, not wishing to do what might be odious to hon. Gentlemen opposite, and least of all wishing to wound the feelings or insult the consciences of others, he found himself compelled to vote with the hon. and learned Member for Wolverhampton.

SIR JAMES GRAHAM: Sir, I presume that the House, which has now been debating for several nights a question mainly turning on the use of words, must be anxious that the discussion should draw to a close. I am the more ready to promise not to occupy long the attention of the House, because I have already, almost unwarrantably, trespassed on the indulgence of the House—strictly within the rules, still in a manner I should blame, if I had not thought it called for by the peculiar circumstances. The hon. Member for East Cornwall (Mr. Kendall) has made an observation, on which I would wish to say one word. He says nothing is so painful to a man as to have to swallow the opinions of others. But I must also tell him there is something not very agreeable in having your own words, on which a Motion has been founded, suddenly brought up and forced upon you when you least expect it. A great deal has been said in the course of the debate to young Members, and to "old stagers." I am afraid I must class myself in the latter category, and, speaking to those young Members, I must give them one piece of advice, the result of my recent experience. Every one knows there is nothing so foolish as to write a book or a pamphlet, but it is still more foolish to put on paper the words of a Motion for which you are not responsible, and which you do not mean to move yourself. What is still worse, is to try to frame a Motion, which shall please everybody; it generally ends in satisfying no one; and perhaps the predicament in which I stand this evening may be a warning to others for the future. I wish to state to the House that the result of this discussion has been very painful to me. I framed the original Amendment. With parental fondness I regretted the loss of important words, which were left out of it; and many arguments urged in its support have been of the most repulsive character. The right hon. Gentleman the Chancellor of the Exchequer, complaining of the epithets in the original Motion, namely, that the repeal of the Corn Law of 1842 was a "wise, just, and beneficial" measure, designated these epithets as odious. Now, if any epithets are to be applied to that measure, in my humble judgment the English language supplies none so apposite as those in the original Motion. But the right hon. Gentleman the Secretary for the Colonies went the length of saying that he demurred to the poposition that the measure was wise, just, or beneficial, when, to my astonishment, I find in the Amendment, to which I am given to understand the Government are parties, and which we are now discussing, the words—

> "That the improved condition of the country, and especially of the industrious classes, is mainly the result of recent legislation, which has established the principle of unrestricted competition, has abolished taxes imposed for the purposes of protection, and has thereby diminished the cost and increased the abundance of the principal articles of food of the people."

Am I wrong? Did I not understand the right hon. Gentleman to make some reservation last night with respect to sugar? [Sir JOHN PAKINGTON made an observation which was inaudible in the gallery.] Is not sugar part of the food of the people? Is not the principle of unrestricted competition embodied in the descending scale of duties, in progress of being carried out in the case of foreign and British-grown sugar? I do not wish to refer to speeches made at elections; but the right hon. Baronet did, on the hustings, refer very roughly to what I had said as to Government having risen to power by the ladder of protection, and then having thrown it down, when they had risen to the "giddy height," being content to remain in power by discarding the principle by the aid of which they had obtained it. The right hon. Baronet then gave that statement an unqualified denial; and he further added, that with respect to the sugar question he retained all the opinions he had ever expressed. He declared that he believed the West India Colonies had been ruined, and had been most unjustly treated by the removal of protective duties, and that he retained that opinion as strongly as ever. The House would remember what took place in June last. The descending scale of duties was about to come into operation on the 1st of July, and the right hon. Baronet stated he had changed no opinions on that subject, and that it was only his inability, arising from his being in a hopeless minority, which restrained him from making the attempt to restore those duties. Now, if he retains his opinion, why does he not avow his intention to adhere to his policy, and to do that which he believes to be just? How can he vote for the Amendment of the noble Lord the Member for Tiverton (Viscount Palmerston) if he sincerely retains his opinions? It has been said by an able writer, in an interesting work, that sugar is a charm to youth, that it soothes old age, but that in political matters it has a dangerous tendency, and is apt to produce disaster. I also remember that in the work from which I am now quoting—a work of political biography, there is a most graphic description of what took place with reference to this very question of the West Indian Colonies. It appears that the West Indian interest did not take a very decided part in resisting in 1846 the repeal of the Corn Laws, and a proposition was made to the late Lord George Bentinck, that in consequence of their having failed to aid the Protectionist Opposition, he should be a party to no longer supporting the protection which the West Indies enjoyed. What said the noble Lord in reply? With a signal shake of the head, with a flash of that beaming eye, and with a curl of that scornful lip, he made these observations: He said, "No! we exist only by our principles; we are not Privy Councillors, but we are honest men; we must stand by our principles, and we must protect the West Indian interest." Now, Sir, observe, the Gentlemen opposite are Privy Councillors, and they have abandoned the principle of protection. But I do not draw the inference —I should be unjust in the extreme if I did—I am not prepared to say that this change of opinion on the part of right hon. and hon. Gentlemen, those I see on the Treasury bench, is to be regarded as a dishonest change. I remember the speech of the noble Lord the Member for Tiverton, an admirable speech, on the second reading of the Bill for the repeal of the Corn Laws in 1846, in which, in his own most powerful manner, and with the utmost succinctness and brevity, he stated the whole case, as it appeared to me, in favour of free trade, with extraordinary clearness and great eloquence. I dissented, certainly, from one passage in the noble Lord's speech, in which he advocated a fixed duty on corn; but there was a passage in it which bears on the point to which I was referring, and which I will take the liberty of repeating to the House. I will not answer for the exact words, but this is the substance of his remarks: The noble Lord said (and long experience had made him wise), "if the force of circumstances should ever place those Gentlemen," including Lord George Bentinck and those who acted most strenuously with him, "on the Treasury bench, I am satisfied that six months will not elapse before their opinions will undergo great change and modification." Something was said about fever, and the noble Lord added, "There are certain climates which are specifics for certain diseases. Take any Protectionist; let the fever, or the type of it which besets him, be as malignant and inflammatory as you please; place him in Downing-street, and I will undertake to say that there will be a speedy and permanent cure." [See 3 *Hansard*, lxxxvi. 255.] I remember when the late Mr. Porter, whose loss I most sincerely deplore, was at the Board of Trade, it was always said that his accounts were cooked and prepared. Hon. Gentlemen opposite could hardly believe it possible that our exports had increased to 70,000,000*l*., our imports to 100,000,000*l*. Sugar has been mentioned, and, with regard to that article, they thought it hardly possible that while the duty was diminished by 100 per cent, the quantity imported should have increased by one-third; that the retail price should have fallen one-half, and that all this time the revenue from sugar should not be decreased, but augmented. All these things then seemed incredible to hon. Gentlemen opposite, but now there is my right hon. Friend the Member for the county of Oxford (Mr. Henley) at the Board of Trade. He is a man whom I know to be very capable of sifting facts and figures, while as President of the Board he is responsible for these documents, and I am certain that he has verified the facts which were before shown by the Returns, and that he believes fully what he authenticates by his signature as to the state of the country, and what is asserted in this Resolution, which affirms broadly and openly the principle of free-trade, as opposed to protection. There is another point upon which I desire to make an observation or two. The right hon. Gentleman the Chancellor of the Exchequer commented last night, rather unadvisedly as I thought, upon the use of the word "compensation," imputed to him, and said that he was not aware that anywhere, except at hustings or elections, that word had ever been used by him; that, probably, we might find it by hunting among election speeches, but that in the House no such term could be adduced as having fallen from him. We might look at the right hon. Gentleman's speech at Aylesbury, but, without being disposed to go word-catching at this time of night, and at this period of the debate, I may express my surprise when I heard, in that able speech made last evening by the hon. Member for Middlesex (Mr. B. Osborne), without ranging through the pages of *Hansard*, this passage, attributed to the right hon. Gentleman, who, as I thought, most unequivocally denied the use of the word "compensation." On the 14th of May, 1850, the right hon. Gentleman, I believe, seconded a Motion made by Mr. Grantley Berkeley for an alteration in the Corn Laws, and said upon that occasion:—

> "I ask you to protect the rights and interests of labour generally; in the first place by allowing no free imports from countries which meet you with countervailing duties; and, in the second place, with respect to agricultural produce,"—to do what?—"to compensate the soil for the burdens from which other classes are free, by an equivalent daty." [3 *Hansard*, cxi. 86.]

Now, Sir, a good deal has been said about bowing to public opinion. I would first of all observe, that I do not think the repeal of the corn laws was carried by "bowing." In the next place, with reference to the use of strong language, those who supported that repeal were not always treated with exemplary courtesy in Parliament, nor were the expressions used with reference to those persons exactly such as we generally use in the society of gentlemen. The hon. Member for the West Riding (Mr. Cobden) on a former occasion has referred to what he called the Christian forbearance of the friends and colleagues of the late Sir Robert Peel, and expressed somewhat his surprise that they had been so moderate in their language, so forbearing in their retaliation. Now, Sir, I said last night, and I said truly, that in framing these Resolutions I had endeavoured to do so in the spirit and in the temper in which I believe my right hon. Friend, had he been now alive, would, under present circumstances, have framed them. And, Sir, the term used by the hon. Member for the West Riding was a happy one. He used the term "Christian forbearance." Now, I knew my right hon. Friend well. The right hon. Gentleman the Member for South Wiltshire (Mr. S. Herbert) has paid to him this evening a well-deserved and eloquent tribute. Amidst all his characteristics, I should say the Christian temper and forgiveness of my right hon. Friend was that which most distinguished him. I say, also, that he always considered what, under circumstances of public emergency, it was politic to do in reference to the good of the country, and the maintenance of the cause, which he espoused. The hon. Member for West Surrey (Mr. Drummond) referred, in the course of this evening, to ancient history, as far back as the Anglo-Saxon period. I do not wish to incur the charge of pedantry by going back to a part of history still more ancient, but there is a passage in Roman history, I believe it is recorded by *Livy*, and commented on by Machiavelli as a masterpiece of policy, which I think is worth adducing now. I refer to that passage relative to the *furcœ caudinœ*, where portions of the Roman army suffered great disgrace at the hands of the Samnites, and where the question was, how they were to be treated. The first advice given was that they should be liberated. That was said not to be an expedient course; and then the question was asked, "Shall we take a middle course?" The answer was, "Exterminate them; there is no middle course of safety with reference to those who are Roman citizens." So I say with reference to this question. It is in vain to attempt with prudence in a contest like this to brand your antagonists; if you seek for security to the country, for the blessing of peace, and for the settlement of this question, you must settle it on equal terms. I do not accuse hon. Gentlemen opposite of anything unworthy in the course they now deem it their duty to take. I do not wish to stigmatize them by seeking their consent to that which their honour refuses to accept. I think it is enough to sustain this great cause by the use of words which cover all the principles for which I have contended, and for which I am ready still to contend when the measures of the Government are brought forward. There is no man in any part of the House more ready to reject the doctrine of compensation said to be due to the landed interest, and any measure of that description founded upon that claim will be resisted by me to the utmost of my power; but I have a feeling that to call upon hon. Gentlemen opposite now to declare that the repeal of the corn laws in 1846, which they so strenuously resisted, is in the abstract just, is not exactly the course we ought to take, and I am not surprised, on the whole, that they reject the original Resolution. I, for one, shall not depart from the words which I admit are *verbatim et literatim* what I myself prepared. It is painful for me to vote against the proposition of the hon. Member for Wolverhampton (Mr. C. Villiers), and those Gentlemen with whom on principle in this matter I entirely agree; but I should think myself unworthy of the confidence of my fellow-countrymen if I hesitated to state that which I really feel, and which I am prepared sincerely to abide by.

Mr. PHILLIPS said: I was not going to enter into any discussion about the comparative merits of Protection and Free-trade, for it appeared to me that the only question before the House was, which of two Resolutions we should adopt—that of the hon. Member for Wolverhampton, or that of the noble Lord the Member for Tiverton. That as one of the new Members, or, to use the noble Lord's expression, one of the greenhorns who had lately alighted on the benches of this House, I claimed one privilege—not that of being listened to with indulgence, for that I felt sure would be accorded to me—but that of reading the Resolutions in their plain and natural sense—in the sense in which 999 men in every 1000 out of the House would understand them. If I interpreted the Resolution of the hon. Member for Wolverhampton by the meanings affixed to it by different speakers, the more one listened the less one understood. In one speaker's mouth it assumed the shape of a vote of confidence, or the contrary, in the Government; in another, that of a tribute to the memory of Sir Robert Peel; in another, that of fixing the great seal on the charter of free industry, until at last it appeared to become one vast allegory, according to the definition given of allegory by the late Mr. Thomas Hood, "putting one thing to stand for another that was not it, like a Member of Parliament standing for a county." As I had to select between the two Resolutions, I felt that with regard to one of them, that of the hon. Member for Wolverhampton, it seemed to put Members like myself somewhat in the situation of the character in Sheridan's play of the *Rivals*, who, when he is saying and doing nothing, is suddenly thus addressed by another gentleman: "With regard to that matter, Captain, I must beg leave to differ in opinion with you." To which the rejoinder is, "Upon my word, then, you must be a subtle disputant, because I happened just then to be expressing no opinion at all." The conversation then proceeds, "That's no reason, for, give me leave to tell you, a man may think an untruth as well as speak one." "Very true, Sir; but if a man never utters his thoughts, I should think they might stand a chance of escaping controversy." My present position may be described in a similar vein of interrogatory and answer. You are going to reimpose a tax on the bread of the people. I answer that I am not going to do any such thing. I say that the Act of 1846 was wise, just, and beneficial. What do you say to that? I reply that I have nothing to say on the subject, for I do not see that my opinion on what is passed can be of particular consequence to any one. Here, then, a contest is forced on me which I cannot decline, and I shall vote for the Resolution of the noble Lord the Member for Tiverton, because it recognises two kinds of protection, neither of which need alarm the sensitive ears of the hon. Members for Manchester and the West Riding—protection of fame that is part from being made the subject of debate, and protection of the private opinions of Members from unauthorised inquisition.

Lord JOHN RUSSELL: Sir, I now entertain the hope, from the appearance of the House, that there exists a strong desire to bring this discussion to a close tonight; and I am sure that the exhausted state of the debate would well justify us in not prolonging it so as to extend it into another week. But, Sir, I have borne too large a part in these discussions, and I have been too frequently referred to in the course of this debate, not to ask the indulgence of the House whilst I make some brief observations on the state of the question now under our consideration. My hon. Friend the Member for Wolverhampton (Mr. C. Villiers), in a speech remarkable for its great ability, but which was necessarily confined very much to the questions on which he had to treat—those questions of economical and commercial policy which have been for so many years under the consideration of Parliament—moved certain Resolutions, the first of which went to affirm the benefits which recent legislation had conferred upon this country, and especially upon the industrious classes; the second, that the extension of Free Trade, as opposed to Protection, would be the best mode of enabling the property and the industry of the country to bear the burdens to which it was exposed; and the third, that the House would be ready to take into their consideration any measures which Her Majesty's Ministers might lay on the table on these subjects. Now, Sir, if there had been anything of a party character in the speech of my hon. Friend, the right hon. Gentleman opposite the Chancellor of the Exchequer might have been justified in saying that the object of my hon. Friend's Motion was to displace the Government, and make the matter entirely a party question. But my hon. Friend gave no opportunity for any remark of that sort. His impartiality was rather the subject of comment. He said that the two Governments, past and present, had such a family likeness to each other, that he did not much care whether the Government of the day was formed from Gentlemen on this side of the House, or from Gentlemen on the other side—certainly no very strong party declaration on the part of a person who has been said to have brought forward his Resolutions solely from party motives, and with a view to the displacing of the Government. However, Sir, the right hon. Gentleman the Chancellor of the Exchequer chose to consider the question in that light, and instead of making any answer to the statements of my hon. Friend, instead of controverting any of his arguments, he entered into statements as to the conduct of the party of which he has been the leader for the last few years, and declared that it would be dishonourable for them to accept the Resolution of my hon. Friend. Now, Sir, as the right hon. Gentleman has chosen to bring that question before the House—although it was not before the House formally—I shall not refrain from making a few observations on his statements. But I think it is due to the question itself that I should state my view of the Resolutions now under consideration.

Before my hon. Friend had proposed these Resolutions, I understood they had been assented to by most of the hon. Gentlemen who have taken the lead on the great question of Free Trade. I understand, also, that my hon. Friend, acting as I think it was his duty to do, in order to conciliate all parties, had consulted various Members of this House; amongst others, the hon. Member for the West Riding (Mr. Cobden), and the hon. Member for Manchester (Mr. Bright), who had a right to be consulted; also the noble Lord the Member for Tiverton (Viscount Palmerston), the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone), and the right hon. Gentleman the Member for Carlisle (Sir J. Graham). As I understand, without professing to know their individual sentiments, my hon. Friend had the full concurrence of those hon. Members. However, my right hon. Friend the Member for Carlisle made a statement last night, with respect to another form of Resolution, of which evidently the noble Lord the Member for Tiverton had heard, and of which, "for the sake of greater accuracy," he had obtained a copy. The noble Lord, in the speech which he addressed to the House, regretted that Gentlemen on the other side of the House could not agree to the Resolutions before them, and stated various grounds for changes of opinion, and observed that the House had nothing to do with the private opinions of public men, in which remark I cannot say that I concur with him, and the noble Lord concluded by proposing certain Resolutions which appeared to please hon. Gentlemen opposite, to give them immense relief, and which seemed to be a plaster for their wounded honour. Those Resolutions, whilst relieving the minds of hon. Gentlemen opposite, caused a great division amongst hon. Members on this side of the House, who had before been united. Such being the state of the question, I have to consider what course I ought to pursue; and in the first place I must declare that both sets of Resolutions are exceedingly well framed, that both seem to me to go generally to the same object. Each is divided into three parts. Each affirms in the first place the benefits which our commercial legislation, during the last few years has conferred upon the country and upon the working classes—each affirms that it is necessary to maintain and to pursue that policy—and the last Resolution affirms that the House will be ready to take into its consideration the measures that may be brought before it. Therefore, Sir, it would appear to me that the Resolutions which were first proposed by a Member of this House, in whom all those who value free-trade principles could confide, are entitled to precedence, and it would ill become my sense of duty to give a vote which would set aside those Resolutions. That, Sir, is the question which you will have to put at the end of this long discussion, for you will have to ask the House whether the words proposed to be left out shall stand part of the question, or, in other terms, whether those words are to be at once rejected, and not put to the House as the main question for consideration.

Now, Sir, I own I should have been disposed to say that if the Resolutions proposed by the noble Lord the Member for Tiverton, drawn by my right hon. Friend the Member for Carlisle, had been proposed in the first place, and the Resolutions of my hon. Friend the Member for Wolverhampton had been moved as an Amendment, I should have pursued the same course which I am now taking. I should have voted for the Resolutions of the noble Lord standing part of the question, and against the Resolutions moved as an Amendment. They appear to me to be very nearly the same. I do not mean to say that they are the same in the views of hon. Gentlemen opposite. But as they both coincide and concur with my sentiments, I think it my duty to prefer that which was first proposed to the House. But, it is said, there are words in the Resolution of my hon. Friend which give offence to hon. Gentlemen opposite, and that, being an assembly of Gentlemen, we ought not to ask them to concur in that which is offensive to their feelings and degrading to their honour. I certainly do not wish any Gentleman to agree to that which he thinks contrary to his honour. I am only speaking of my own sentiments and views, and I certainly could not ask hon. Members to concur in Resolutions to which they attribute that effect. But I do not see why I should make my vote depend upon their feelings. But let me ask what is it that gives this great offence, because I own it does appear to me that they are more sensitive than the case naturally calls for. The words objected to are that the repeal of the Corn Laws in 1846 was "wise, just, and beneficial." Well, as I stated last night, hon. Gentleman have no hesitation in declaring that that policy which rendered corn cheap—which provided for the admission of foreign corn, and thereby made the food of the people abundant and cheap, as the noble Lord declares in his Resolution—they have no hesitation in saying that Parliament was "wise" in enacting the law, but they will not say that the Act was a "wise Act." That seems to me to be a very remarkable refinement. Then with respect to the word "beneficial." You have no hesitation in declaring, according to the Resolutions of the noble Lord for which you are all going to vote, that the improved condition of the country, and especially of the working classes, is owing to recent legislation, and also that that policy should be further pursued. When Gentlemen admit that great benefits have flowed from that policy—that the food of the people has been improved thereby, and that great benefits have been conferred on the whole body of the people—I do not see why they should deny that that policy has been beneficial. I do not see why they should say, "Here is a measure which Parliament in its wisdom has enacted, and which has conferred great benefits on the people, but yet we will never say it is either wise or beneficial." The right hon. Gentleman the Secretary for the Colonies has no objection to admit the wisdom of Parliament, or the benefits that have flowed from the measure; but as to saying it is "wise and beneficial," he declares that he will oppose the expression, and that nothing shall make him consent to it. I consider this to be another very fine scruple, and it reminds me of a remark made by Lord Plunkett with reference to one of the scruples of Lord Brougham, when he said it was rather more fit for a novel, to be called *The Delicate Distress*, than for that House. But now there is one word which is more difficult still for hon. Gentlemen opposite to agree to, and that is the word "just." Well, but I do not see why that word "just" should be such a stumbling-block in the way of hon. Gentlemen opposite. I have always considered the Corn Laws as laws not imposed for the benefit of any particular class, or to be continued on that ground; but as being, in the first place, in harmony with the general policy of the country, which was the protection of native industry—the protection amongst other producers, of the producers of corn. And in the next place, understood the question to be one of public policy, and that it was considered desirable to raise within ourselves, within our own soil, sufficient food for the sustenance of the people. These were the great public reasons for the maintenance of the Corn Laws. But the moment Parliament decided that it was not wise to keep up the system of Protection—that it was not wise to diminish the food of our own people, and make the food dear in order to obtain the advantage of having it all produced within ourselves—from the moment such a declaration was made, these laws ceased to be just, because they could only be considered just when justified on the ground of the public welfare. So soon as Parliament declared that they were not for the public welfare—that none but a certain class, such as the owners of land, could profit by them, and that the great body of the nation were not benefited by them—the laws at once ceased to be just, and were stamped with the mark of injustice. Now, willing as I should be to see a Resolution to which the whole body of the Free Traders in the House will assent, yet I own I cannot say that the objections stated by hon. Gentlemen opposite are so reasonable that I ought to alter my vote, and refuse to vote for the Motion of my hon. Friend on account of the difficulties which have been raised.

There is, however, another reason why it may be said some injustice was attached to the repeal of the Corn Laws, and that is that the repeal was so sudden. It has been said that the sudden repeal acted unjustly, and that a great body of the most deserving class were thereby exposed to great hardships. But if that be so, I do not see that I am at all to blame in that respect, because, as the right hon. Gentleman the Chancellor of the Exchequer reminded me last night, I had in the year 1841, and in the year 1840, proposed an 8*s.* duty, in order that the change might be more gradual. And even in 1845 I still proposed a fixed duty with a similar view. But hon. Gentlemen opposite would never listen to such a change as that. And although I repeatedly told, amongst other persons, the present Prime Minister, Lord Derby, that if he would not consent to such change he would find himself at last deprived of all Protection, he still went on obstinately refusing any such change. The change occurred as I had predicted. It swept away the whole of the Corn Laws; and Lord Derby, who treated me as the greatest enemy of the farmers in 1845, and said that 8*s.* was no Protection at all, endeavoured in 1851—but endeavoured in vain—to get some Member of the House to propose a duty of no more than 5*s.* I mention these facts because I was placed at that time in very painful circumstances. I was held up in 1841 as the great enemy of the farmers, as wishing to destroy their prospects and their interest, and every effort was made to render me odious in their eyes. I felt this very much. My family had always been connected with the land, and I could not but feel it painful to be held up to odium on this account. Certainly it is some satisfaction to me now to see that the very measure for which they held me up to odium is a boon which they own to be unattainable, and which they would be very glad to secure.

Having said thus much with regard to the past advice which I ventured to give them, I will venture to say a few words with respect to a question which has been raised during the last few days, which is likely to become of very great importance, and upon which, I fear, we have had the signal of a fresh struggle held out by the right hon. Gentleman the Chancellor of the Exchequer—I mean the question of what he will not call "compensation," but which I believe he calls "relief," to the landed interest. Sir, I am afraid I shall be as little believed by the landed interest and by the farmers when I speak upon this subject as when I said that the Corn Laws would probably be repealed, and that an 8*s.* duty would be more than the farmers could get. But, Sir, it is certainly my opinion that it would not be wise for the landed interest to ask for any special relief, or any special benefit, whether it be called compensation or relief. In the first place, let the House observe that the landed interest, the owners and occupiers of land, and the labourers upon that land, form a great part of the property and population of this country, and that it is by no means a matter of indifference to them when you relieve the inhabitants of the country at large from any species of taxation upon industry or property. The right hon. Gentleman the Chancellor of the Exchequer, in his calculations, used to reckon the property of the landed interest at about one-third of the whole property of the country. It does not much signify what the proportion is, but taking it at one-third, you will observe that if you have a reduction of 12,000,000*l.* of taxation, 4,000,000*l.* of that relief is given to the landed interest. If you have, as no doubt you have had within the last ten years, 7,000,000*l.* of taxes remitted over the amount imposed, more than 2,000,000*l.* of the taxes so remitted have gone to the landed interest. And that is a remission of taxation of which no man can complain. That is a just and fair advantage, which they, being a part of the property and population of the country, highly deserve. They enjoy, with the rest of the community, that great benefit. The cost of production is rendered less, their whole industry is made more productive, and not a single manufacturer or merchant will say a word against their receiving that benefit. But if you say you will give a special relief to the landed interest, and if you say that that special relief is to be given by the two Houses of Parliament, which consist in a great measure, if not mainly, of persons who are owners of the land, you at once set up the landed interest as an object of suspicion and of envy —you are making the other classes of the country think that you are not acting fairly by the country at large, but that you show a favour and preference to one particular body. From my birth I have been connected with the great agricultural proprietors, and I trust, for the sake of the landed interest, that the right hon. Gentleman the Chancellor of the Exchequer will not in his approaching statement ask for some special favour for them, whether he calls it compensation or otherwise; but if you can remit taxes—if you can confer a benefit on the people of this country—make it large and general, but do not make it special and particular.

With respect to these conflicting Resolutions, I will take this opportunity of observing that I do not agree in the view which I understand to have been taken by the hon. Member for the West Riding (Mr. Cobden), that the word "just" shuts out all question of compensation to the landed interest for the losses which they may have sustained. I think it would certainly bar any positive claim—it would bar their saying "we are losers of so much, and are entitled to so much." But it never would prevent a Minister from saying "the landed interest are in a state of difficulty and distress, and I propose to you to give relief to that interest." Long before the Corn Laws were touched, I remember Chancellors of the Exchequer coming down and proposing considerable relief to the agricultural interest without reference to their having suffered losses in consequence of the Corn Laws. Nothing would be easier than to give that turn to any proposal. Although the insertion of the word "just" may seem to shut out the claim of compensation, I do not see that it effectually does so, and I do not see that there is any difference between the two sets of Resolutions on that special ground. An hon. Gentleman has adverted to the advice which we, as Ministers of the Crown, gave to the Sovereign with respect to the insertion of certain words in the Speech from the Throne last year; and it has always been represented that that Speech described the agriculturists as in a state of distress, and that Her Majesty had called the attention of Parliament to the distresses of the agricultural interest. Now, I must ask the House to listen to the terms of that Speech, and it will then see that the meaning has not been exactly represented, and that omissions have been made of very great importance. The following are the words in the Speech which Her Majesty was pleased to deliver at the opening of the Session of Parliament in 1851:—

> "The State of the Commerce and Manufactures of the United Kingdom has been such as to afford general Employment to the Labouring Classes. I have to lament, however, the Difficulties which are still felt by that important Body among My People who are Owners and Occupiers of Land. But it is My confident Hope that the prosperous Condition of other Classes of My Subjects will have a favourable Effect in diminishing those Difficulties, and promoting the Interests of Agriculture."

Now, Sir, these words were especially meant to show that the Government did not propose any particular relief for agriculture, but that it was the belief of the Government of the day that agriculture would recover from its difficulties, owing to the prosperous state of the commerce and manufactures of England; and I believe that that expectation has been completely fulfilled. My belief is that the increased consumption which has followed from your commercial legislation has been such that, with respect to many articles of farm produce, a very sufficient, not to say a high price is obtained, and, above all, that the value of the article of land has been lately very considerably enhanced, and is now of very great value in the market. A statement was made the other day by the hon. and learned Gentleman the Attorney General for Ireland, which showed that in Scotland the value of land had greatly improved; and only the other day an estate in Northamptonshire was sold for forty years' purchase. My belief is, that the agricultural interest is not to be taken for a distressed interest; and on that ground I shall object to any special relief on the ground pointed out.

Having stated my views with respect to these Resolutions—having stated the course which I took when I was a Minister of the Crown—I will now refer for a few moments to the speech made by the right hon. Gentleman the Chancellor of the Exchequer, in answer to the Motion of my hon. Friend (Mr. C. Villiers). The argument of the right hon. Gentleman went to show that he, and the party with whom he acts, had since the year 1846 never attempted the restoration of Protection, but that they had endeavoured to alleviate the burdens, to mitigate the distresses of certain classes whose interests it is alleged have suffered from recent legislation, without disturbing the settlement then come to. Now, Sir, that argument was very ingeniously carried out, and the right hon. Gentleman's quotations were very apposite; but the great defect was that the argument was wanting in truth. By picking out a speech made by one Member, and a statement made by another, by pointing out the conduct which he himself had pursued at various times, he seemed to afford something like a proof that the conduct of his party had been such as he described it to have been. But it is necessary to look to other facts, and some of those facts were stated last night by the hon. Member for Middlesex (Mr. B. Osborne) in a manner not very agreeable, I believe, to hon. Gentlemen opposite. There are abundance of facts all around us. Supposing every volume of *Hansard* to be burnt, there would remain in our memories sufficient to prove that the Protectionist party have been trying, since 1846, to restore Protection, and destroy the system of commercial policy established by Sir Robert Peel. The Duke of Richmond, a man of the highest integrity, always said, "Turn out the Ministry, get a dissolution of Parliament, and you farmers will have Protection back again." I cannot be so much surprised as my hon. Friend that the noble Duke has not lately appeared in his former prominent position. His position is a very embarrassing one. I have no doubt he made that promise to the farmers in the assurance that the Earl of Derby would fulfil it; and it must be a great mortification to him to find that he has unintentionally been the means of deceiving a great body of his fellow-countrymen. But beyond what passed at these meetings, the Protectionist speeches made during the elections showed that many hon. Gentlemen opposite were fully persuaded that they could restore Protection. What did the hon. Member for Dorsetshire (Mr. K. Seymer) say? He said that the Protectionists were divided into three classes. The first class is composed of those who think that protection can never be restored; the second of those who imagine that it may be restored in time; and the third of those who would re-establish it at once. With respect to the two latter I have nothing to say; but with regard to the first, those namely who think that protection never can be restored, I must say that it was not very candid of them to tell the farmers of this country that if their friends should be placed in power they would at once see high prices restored. Well, but the right hon. Gentleman the Chancellor of the Exchequer, had made out a technical case for himself, and that case is, I think, not a very pleasant one for the right hon. Gentleman. But granting the case as it has been stated by the right hon. Gentleman—granting that he has a character like that which has been given to a predecessor of his, and one of the ablest and wittiest of his predecessors, Charles Townsend I mean, of whom Mr. Burke said, that he was infinitely above having an opinion—giving the right hon. Gentleman credit for being like his predecessor in that respect, why then you must come to the conclusion that without thinking Protection could be restored, and being rather in favour of Free Trade, he has allowed this great party, the great party of the farmers of the country, to believe that he would restore Protection, when he never believed in or expected anything of the kind. I must say, Sir, I think that some part of the House—those who are called the Members of the Manchester school—may be described as interested parties, in fact they have been called the farmers' enemies, but it appears to me that there are other persons more entitled to that character, and I think the farmers have this owing to them, that they should know the truth, and that they should know the opinion which eminent men in this country equally entertain; and I think that if the right hon. Gentleman has known all this, that it would be impossible to restore Protection, and that benefits to the land must be sought elsewhere, I think it was due to that body to tell them so, for without doubt the farmers of this country are as respectable and worthy as any body of men in the Kingdom. I do not believe that upon these economical matters they have reasoned the matter to the foundations, though they may have gone through Adam Smith, or some of his disciples; and I think that if the right hon. Gentleman and his friends had placed the case fairly before the farmers, and told them that the question had been settled by the House of Commons, the controversy would have been at an end long ago. I remember, with regard to the Roman Catholic question, when the Duke of Wellington and Sir Robert Peel proposed the settlement of that question—I remember meeting a farmer and asking him his opinion. He said—" My opinion would certainly be against the Roman Catholics, but I see all the great men in Parliament are for them, and therefore I give up my opinion to theirs." Why, upon this question of Protection, I believe that if a fair statement had been made to them—not with the view of exciting discontent at recent legislation—but if the truth had been fairly told them, we need not have waited until to-night for the settlement of this question, but at least four years ago that question would have been finally settled by the general assent and concurrence of the nation.

I must own, Sir, that what I must call double dealing has been carried on up to the results of the recent elections. Now, it has been said that the Earl of Derby has acted very fairly, that he put before the country this question, " Are you for Free Trade or are you for Protection? I shall be ready to bring forward protective measures if the decision of the country is in favour of them; but otherwise I shall assent to the Free Trade policy, which has of late been adopted." Sir, I certainly do not wish to say anything harsh of Lord Derby, for independently of other considerations, in judging of Lord Derby one should look to what his previous conduct had been with respect to office. I cannot but recall to mind, in speaking of the conduct of that noble Lord, that when I was his Colleague in the Administration of Earl Grey, he left that Cabinet because he could not concur in the measures that were then proposed. Again, in 1845, he left the Cabinet of Sir Robert Peel, because he would not give his assent to the repeal of the Corn Laws; and last year, when he wished to propose some duties on corn, and found that he could not make a Ministry upon that principle, he abandoned the attempt, and gave up what must have been the highest object of his ambition. Now, then, I say that with regard to the man, one ought not to judge prematurely or upon partial grounds that he has departed from that character and that honour which becomes a great public man in a high station. But I must say that the theory upon which he seems to have gone was a theory utterly impracticable with the working of the Constitution, and with this Parliament; that if he had been the Sovereign of this country, or if he had been an absolute Sovereign in any country, he might have said, " Let the people decide, and let them tell their Representatives their own views with respect to commercial policy;" but in this country, as the head of a party, it was inevitable that those who were joined with him should take part on one side or the other in the elections, and thus we have had a most extraordinary spectacle, and a most extraordinary result, because we had Gentlemen going into the towns and saying, " We are against any tax on bread; we could not bear a return to the Corn Laws, and we support Lord Derby;" and other Gentlemen going into the counties and saying that the greatest mischief had been done by the repeal of the Corn Laws, and that they were for Protection, and therefore that they supported Lord Derby, the Administration all the while helping both, and taking care to provide them with the best means of securing their election. They said to Mr. A. in the town, " You must take care that you are for a large loaf, and that you will never hear of Protection;" while at the same time they said to Mr. B. in the county, " You are to take Protection for your motto, and you must declare for a restoration of the Corn Laws." I will not detain the House at this time of night, but instances of that conduct have been given over and over again. They were stated by the right hon. Gentleman the Member for Edinburgh (Mr. Macaulay), in the speech which he made at Edinburgh, and he goes through the different places and the different professions that were made at them. Why, Sir, I believe, indeed, there was one case of a Gentleman who stood in a county on Protection principles; and failing in that, he stood for a town on Free Trade principles: this gentleman showed a different side of his face to each constituency. Well, but what was the result? Why, the result has been that we have seen it stated by a Gentleman who still remains on the side of Protection, that in many places a Protectionist candidate would have succeeded had it not been that the Government supported the Free Trade candidate. That is the statement made by a Protectionist, not by a Member of the Government, but by one associated with them. And then comes the noble Lord at the head of the Government, and he makes, as I understand him, this statement. I certainly do not wish to misrepresent him, though I think he has often misrepresented me, but I should on that account be only the more anxious not to treat him in the same way. But, as I understand him, he says—"This country has decided in favour of its present commercial policy; that being the case I am ready to adopt it, and to support and carry measures in consonance with the Free Trade policy; but I still believe that there is great danger in that policy, and that—but God grant I may be wrong!—great calamities may ensue from its course." Well, that is a new position for a Minister of this country. When Sir Robert Peel dissolved Parliament in 1834 he announced what his principles were in what was called the Tamworth manifesto. He stated the principles by which he meant to abide. The integrity of the Irish Church was one thing by which he meant to abide. He did abide by it; and when he was defeated in this House, by a Motion made by me, he gave up office. Again, when Lord Melbourne proposed his measures in 1841, he said—"I propose certain duties on corn, sugar, and timber." The result of the elections was unfavourable to him; the House of Commons came to a vote against him, and he at once retired. But you have now a provision for a perpetual Ministry. That has been the case hitherto, according to the constitution of this country. Ministers have had certain opinions, certain views, certain principles; and if they found that they were thwarted in those principles, when they thought that they ought to be carried into effect, they no longer remained in office. But as I understand the statement of the present Prime Minister, the case stands thus:—"If the country approve of Protection, I will carry Protection measures; but if the country approve of Free Trade, then I will bring forward Free Trade measures; but if I am right, and Free Trade produces great calamities, then I turn Protectionist again." And thus the same Minister may be a Protectionist, then a Free-trader, and then again a Protectionist. That would be a new thing in the history of this country; and, giving the noble Lord the utmost credit for thinking that this course is consistent with integrity, and that he can reconcile it to his own sense of duty, I must still say that it is an example full of novelty and danger.

But then the right hon. Gentleman the Chancellor of the Exchequer has adopted this policy. Now, he has shown to the House that while he was connected with the cause of Protection, he did not faithfully serve the cause of Protection. I say, therefore, now that he has espoused the cause of Free Trade, let us take care that he is not as faithless to the cause of Free Trade as he has been to that of Protection. When we observed—which the most of us have done—that in the course of his speeches, when he sat on this side of the House, he never boldly put forth opinions on that question, as the noble Lord the Member for North Leicestershire (the Marquess of Granby) did—that he never, in fact, fought with any earnestness the cause of Protection, it was very satisfactory to us to find that the cause was not urged with more sincerity and with more zeal. It was an advantage to the cause of Free Trade that it was not so urged; but it will be quite a different thing if the cause of Free Trade is in his hands; and it will be a great loss to the cause which we prize if it is not properly represented by the Government, and if the principle is not fairly carried out—if any measures are proposed consistent with Free Trade, or extending Free Trade, but not prudently extending it — according to one of the Resolutions before the House—by which Free Trade measures might become odious and unpopular. Therefore I think it is our duty to watch the cause, and to take care that in his Free Trade policy the right hon. Gentleman does that which is best for the cause. When Sir Robert Peel came down in 1846, and said, "I have changed my opinions, and I will render that homage to the cause to declare that I will no longer be guided by the professions of 1842," every one on this side of Parliament, whether moderate or extreme, at once gave full credit to his declaration. We believed, and we were justified by the event, that he had embraced completely that system of commercial policy which is now connected for ever with his name, and that we should have his earnest support. The only advice I had to give my friends in the struggle of 1846, and which I gave both to the Members of the House of Commons and of the House of Lords, with whom I was particularly connected, was to give their full support to Sir Robert Peel in that great struggle. I felt quite sure that he would conduct it in the most honest, able, and prudent manner to the end which he had in view. But I have no such confidence in the professions of the right hon. Gentleman the Chancellor of the Exchequer. I think the comparison made by the hon. Member for Birmingham (Mr. Muntz) was not a very eloquent or refined one, but it may be quite true that there may be great advantage to the country from having new measures from new men. I will be ready to hear those measures proposed which the Government mean to propose, and I should have been sorry if the Motion to-night had interrupted their being brought forward; but I do think we are bound to watch most closely those measures, for the whole course of this debate has shown that there are among us men who are still Protectionists at heart, and who, if there should be any reverse in trade—any evils following over-speculation, or any temporary distress that the state of the currency might produce—would be ready at once to say that all the Free-Trade measures had failed, and begin to agitate again for a return to Protection. We must watch these movements. The battle is not concluded, and it is our duty to take care that this great cause is not injured. I say, therefore, that it is our duty to watch the proceedings of the Government.

Mr. WALPOLE: Sir, there are some observations in the speech of the noble Lord who has just sat down which induce me to make a few remarks before this debate is brought to a close. The noble Lord's observations are in many respects similar to the Resolution before the House; for in the first place, they divide themselves into three heads; in the second, they are both of a retrospective and prospective character. The points to which the noble Lord particularly refers are—first, retrospectively the conduct of himself and of his friends, and also of his opponents, on the subject of the corn laws; in the second place, prospectively some meditations of his own as to the Budget which the Chancellor of the Exchequer is likely to propose; in the third place—and it is very much for this reason that I rise to speak—some observations on the conduct of Lord Derby, which, if I understand the noble Lord rightly, he considers to be in some respects unconstitutional. Be it remembered, that the only subject of discussion which at present is really before the House is, whether we shall adopt the Resolutions of the hon. and learned Gentleman the Member for Wolverhampton, or whether we shall accede to the Amendment proposed by the noble Lord the Member for Tiverton; and seeing that there is no point of difference between them except a few epithets, I say that the only question in debate is, whether we are prepared to affirm that the measure of 1846 was, strictly speaking, and in all respects, a wise and just measure. There were two remarks made by the noble Lord which countenance me in the view I take of that question, and which strengthen me in saying, that I, for one, can never acquiesce in the words of the Resolution as applicable to that measure. The noble Lord stated, and stated truly, that the opponents of the repeal of the corn laws took three grounds for their opposition: first, that it was impolitic for a great country like this to depend upon foreign nations for a large supply of food; secondly, that the corn laws, as they stood, were in harmony with the general policy of the country on subjects of trade and finance, which was to protect native industry; and, thirdly, that the change proposed to be made was too sudden and precipitate. Now, I came into this House in the year 1846, just when that question was first introduced. I was one of those who voted against Sir Robert Peel on that question; but I think I may say in passing, that I never uttered a word, and I am sure I never entertained a thought, which was in any degree harsh or unkind either to that right hon. Gentleman or to any of his friends. On the contrary, I deprecated then the destruction of the Conservative party, and from that time to this, I, for one, have wished to see it restored. But with regard to the measure itself, I do think, if we must express our opinions upon it, that the three grounds which the noble Lord has mentioned were grounds which justified me—I did not speak in the debate—in giving a silent vote against its adoption. And the last two grounds especially do entitle me now to say that I cannot subscribe to the description of that measure, as, strictly speaking, just, and wise; for if the corn laws were in accordance with the general policy of this country at the time when they were changed; and if all advantages were taken away from those who had hitherto enjoyed advantages in the shape of protection, without removing any of the restrictions or impediments which existed to the cultivation of the soil—although I am prepared to admit, and do admit most fully, that that measure has proved beneficial to the great majority of the people of this country by increasing their comforts and improving their condition, yet wisdom and justice, in my opinion, can never be predicated of any measure, unless it be equally beneficial to every class of the community. I do not wish to raise a corn-law discussion, but I wish to state the reasons freely why I cannot agree with the hon. and learned Member for Wolverhampton in the exact proposition which he has submitted to the House. I think, strictly speaking, that the measure of 1846 was not just. I think it was too sudden and precipitate, inasmuch as that particular interest which had been protected up to that period had not sufficient time to prepare itself for the altered circumstances in which it was placed. And will the advocates of free trade in this House allow me to tell them that, in taking this line of argument, I am only taking a line of argument which Adam Smith himself laid down in his great book, *The Wealth of Nations*, saying, if I recollect aright the passage to which I am referring, that where, by high duties, you have protected any particular industry of the country so as to induce the employment of a great number of people or a great amount of capital and labour in that particular branch of industry (I believe those are his words), "humanity suggests that in restoring free trade you ought to do it by slow gradations, and with much reserve and circumspection." Sir, as I said before I do not wish to raise controversy in this debate; but I wish in giving this vote to guard against its being urged in reproach against me hereafter that I concealed my views on this point. These are the grounds on which I think the measure of 1846 was not strictly just or strictly wise. Now, with reference to the second topic to which the noble Lord has alluded, I cannot forbear to make some remarks. The noble Lord, taking up an expression which fell from the right hon. Baronet the Member for Carlisle (Sir James Graham), has assumed in his speech, that we are going to give, what he calls, as he understands it, compensation to the land; and he has made a very strong and powerful argument against that supposed compensation preparatory to the Budget which he imagines is about to be submitted to the House. Now, the noble Lord cannot fail to remember that if there is any one thing since the commencement of the Session for which he has found fault with Her Majesty's Government more than another, it is for inserting, or recommending to be inserted, in the Royal Speech, a hypothetical paragraph. Well, he will permit me to say that he has made an hypothesis with regard to the forthcoming Budget, which, when he hears that Budget, he will see was perfectly unfounded. He has made for us an hypothetical Budget. I am not, of course, at liberty to enter now into the measures which my right hon. Friend will much better explain at the proper time; but I can assure the noble Lord that they will be strictly based upon the Resolutions which we had intended to propose to the Amendment of the hon. Gentleman the Member for Wolverhampton—namely, that we ought to adhere unreservedly to the policy introduced by the Act of 1846—the policy of free trade, as you call it, and of unrestricted competition as we call it—then I will say, as we more properly call it—that we would adhere to that policy fully and fairly, and that the measures which we mean to introduce shall not interfere or be inconsistent with that policy. Now, the other point to which the noble Lord adverted is the point upon which I own that I feel the strongest. I thank the noble Lord, however, for the fair and honourable manner in which he spoke at the commencement of his observations with reference to the noble Earl at the head of the Government. I have during the last nine months seen much of that noble Earl, and I believe that no Minister ever lived who was actuated by purer or higher motives; and I am sure that he would scorn to act in any other way but that which honesty and the precepts of our constitution prescribe for a constitutional Minister. But the noble Lord opposite seems to imagine that the noble Earl has assumed office, and that we have undertaken the responsibilities of Government, under the pretence that we were a party formed upon one set of principles which we have now renounced, and that, having renounced those principles, we have no longer a right to sit where we are. Sir, allow me to remind the noble Lord that the question of commercial freedom is not the only, or by any means the most important, question which constituted the bond of union between Gentlemen on this side of the House. I must also remind the noble Lord that we did not come into office by any Motion of our own. In vindication of myself I hope I may say a few plain words, if they are only the plain truth. We came into office, first of all, because the noble Lord had not the confidence of his supporters to that extent that he thought he could carry on with credit to himself the Government of the country; secondly, because the noble Lord himself recommended that Lord Derby should be sent for by the Queen; and, thirdly, because Lord Derby and his followers were, I believe, at that time and now, in point of numbers, the only party which was likely to obtain the confidence of Parliament and of the country. ["Hear!"] If that be not so, bring it to the test. We can only sit here according to the doctrines and principles of the constitution. Unless we enjoy the confidence of the country, as represented in this House, we cannot hold our offices a day longer—we do not desire to hold our offices a day longer. And I must say, and I say it with regret, that I wish the criminations and recriminations which I have heard in the course of this debate, as to Gentlemen on this side of the House only seeking and retaining office for the emoluments which belong to it, and as to Gentlemen on the other side of the House only aiming at office from the same motives—I utterly disbelieve that the great majority of public men in this country are guided by any such mean or unworthy motives. Sure I am that I can say for you (the Opposition) on your side, that I will not think that you are actuated by such feelings; and I hope I may claim equal credit for my friends at least, if not for myself, when I say the same thing on their behalf —they seek office for a higher reason. I believe it is an object of noble and honourable ambition to desire to have the power to carry into effect those principles which you yourselves believe to be best for the country; and all I would say of the noble Earl at the head of the Government is, that I am perfectly confident that he would not hold office a single moment longer than he thought he could act consistently with that principle. The noble Lord, who appeared to me to be alluding in his own mind to the circumstances adverted to by the right hon. Gentleman the Member for Wiltshire (Mr. Sidney Herbert), argues that no person who holds opinions which he is not prepared to carry into effect, ought to continue in office when he has the opportunity at least to propose the adoption of them. Sir, I take leave to say that neither the abandonment of opinions on conviction, nor the retention of opinions which are no longer practicable to be carried out, are disqualifications for holding office. If it were so, I know no man in this House, and no set of men can I conceive of, who will be able to hold office for any length of time. I do not say it in the way of reproach; but as for the abandonment of opinions with reference to this very question of the corn laws, we know that many Gentlemen opposite have abandoned their own views—we know that the noble Lord himself once told us he was in favour of a fixed duty of 8*s*. We also know that the right hon. Baronet the Member for Carlisle once said that the corn laws were so important to this country that if they were repealed, he thought this country would be the last country which he should wish to inhabit. [Sir JAMES GRAHAM was understood to dissent.] The right hon. Baronet will forgive me, but I can show him a passage in one of his own speeches, where he says, if the corn laws were repealed, he should concur in thinking with his noble Friend (Lord Ashburton) that this country is the last which he should wish to inhabit. And again, the noble Lord the Member for Tiverton (Viscount Palmerston) declared himself to be in favour of the imposition of a 5*s*. duty, if practicable; and I, for one, would not object to shelter myself under the shield of that noble Lord, and to say, as far as I understand this question, that I was always sorry that a 5*s*. duty was not proposed in 1846, just in the same way as we retained an equivalent *ad valorem* duty on every other article. Then there is my right hon. Friend the Member for the University of Oxford (Mr. Gladstone). He candidly told us on the first night of the Session that when he first entered Parliament the traditions of his party induced him to support the corn laws, and he has candidly admitted that he afterwards became, from sincere conviction, an advocate for their repeal. Therefore, I say that the mere abandonment of opinion on conviction is no disqualification for office. I have no doubt that I shall be expected to say something about changing opinions, and still "retaining" office, though it is not intended to carry those opinions into practical effect. Now, I do not say it sarcastically, but no doubt the noble Lord (Lord John Russell) is now of the same opinion as he was when he proposed the Appropriation Clause; but I should think him very unwise if he attempted to turn us out of office to-morrow, by advocating that abstract proposition. Again, I have no doubt that the right hon. Baronet the Member for Carlisle, and the right hon. Gentleman the Member for the University of Oxford, retain the opinions which they so manfully and so ably advocated in the discussion of the Ecclesiastical Titles Bill; but would they do wisely to attempt to reopen that question in case they should come into power? Sir, I hold that a greater constitutional doctrine ought to be observed with reference to these questions than has yet been stated in this debate, and it is, that constitutional doctrine which makes me say that I would have equally adhered to the repeal of the corn laws, no matter what I might have thought in the year 1846. The doctrine is, that when a question of great importance has been long and anxiously discussed in the country and in Parliament, and has at length been settled after that discussion upon due deliberation, it is the duty of every statesmen, of every person who pretends to be a statesman, to adhere to that settlement; since the danger of renewing the agitation of such questions is so great that any advantage you can expect to derive from it, never will compensate for the evils and inconvenience which that agitation, when so renewed, must necessarily bring along with it. Therefore, I say that I am prepared to adhere to the abrogation of the corn laws on the same grounds as the stoutest Protestant would adhere to the Emancipation Act, and on the same grounds as the highest Tory would now adhere to the Reform Bill of 1832. Sir, I have no more to say. I rose principally to vindicate, not as I feel bound, but as I feel pleased to do, the character of my noble Friend at the head of the Government; and I will only add, that it is not merely on principles of Protection by which we were united, but we have, and always have had, a higher policy to carry out, namely, that Conservative policy which has always formed our bond of union; and until this House, until Parliament and the country, refuse us their confidence, so long we shall feel ourselves bound to continue to discharge our duties here as Ministers of the Crown; and in the discharge of these duties we shall endeavour, as I have said, to uphold and maintain those Conservative principles which bind us to each other; for by maintaining them we firmly believe we shall best consult the welfare and happiness of the whole country.

Mr. COBDEN: Sir, on this, probably the very last occasion upon which the controversy between Protection and Free Trade may ever be heard in this House, I shall not perhaps be considered presumptuous if I offer a few remarks. The present circumstances of the discussion bring strongly to my memory the last solemn occasion on which this question was treated—I mean during the discussion of the Bill of Sir Robert Peel in 1846—I remember quite well, that the cause of the greatest concern and uneasiness that I then felt, was the course taken by the noble Lord the Member for Tiverton (Viscount Palmerston) upon that occasion. It is no secret that in that Parliament a very large majority of the House of Commons were in their hearts unfavourable to the total repeal of the Corn Laws. Probably it will not be too much to say that two-thirds of that House were by conviction, if not by interest, opposed to that measure; and I might probably say that not twenty Members of the House of Peers were earnestly in favour of the measure which they passed. Now, that which gave me most concern in this House at that time—so deeply interested as I was in the passing of that measure—was the fear lest there should be found a sufficient number of the leading statesmen of that day on either side or both sides of this House, who would be willing to carry on the business of the country, and maintain a fixed duty on corn; for I am sure that it only required such an organisation of official men to defeat, with the support which a majority of the House would have been ready to tender the proposition of Sir Robert Peel, and to have carried a Motion for a fixed duty. Under those circumstances, I confess that when I heard the noble Lord the Member for Tiverton, at the conclusion of an able speech, declare that he was still, even then, in favour of a fixed duty, that declaration gave me—and the feeling is now vividly in my mind—it gave me more anxiety than any other incident which had occurred during the discussion. Now, Sir, the noble Lord's political course since that time has been the subject of grave controversy in this House. I was one of six Members on this side of the House who refused to vote for the Motion of the hon. and learned Member for Sheffield (Mr. Roebuck) two years ago, in approbation of the noble Lord's foreign policy; and I confess that my opinion of the noble Lord with relation to his foreign policy was very much founded on his course of conduct at home. I had been accustomed to hear Lord Aberdeen stigmatised as the advocate of despotism abroad, and the noble Lord (Viscount Palmerston) held up as the supporter of freedom; but when I remembered that Lord Aberdeen gave his instant adhesion to the total repeal of the Corn Laws, and only regretted that it was not immediate, I confess that I never for a moment fell into the delusion which so largely prevailed amongst liberal politicians as to the despotic tendency of his foreign policy. I mention this because it should not be supposed by the Members of this House, and particularly by the juveniles, who have so often been appealed to, that they should follow the noble Lord (Viscount Palmerston), as a liberal leader on this occasion, and go into the lobby with him in support of the Amendment that he has moved upon the Motion of my hon. Friend (Mr. C. Villiers). For what has been the course pursued by the noble Lord on this occasion? When he arose, with that blandness which characterises him, to suggest—barely to suggest—the alternative of his Amendment, we were led to suppose that the noble Lord, who still sits on our side of the House, desired to offer his proposition as a friendly suggestion to the supporters of the original Motion, and that he was prepared, unless his friends on our side accepted his mediation, and were anxious for his intervention—everybody, I say, in that case supposed that then the noble Lord would have withdrawn his Amendment. But it appears, that although the noble Lord must be well aware that nine-tenths of those on our side of the House, and all those with whom he has been politically connected, with the most trifling individual exceptions, would vote with my hon. Friend the Member for Wolverhampton, yet the noble Lord has pressed his Amendment into the service of the Protectionist Government; and if this division should result unfavourably to the Free Trade cause, the country will understand that the noble Lord is the author of our disaster. Now, I don't complain of the terms of the noble Lord's Amendments *per se*, as the noble Lord has now offered them to the House—I don't complain of them so much, because they do not go to the full extent of the avowal of Free Trade principles. What I object to in the noble Lord is, that when Free Trade is perfectly safe—for nobody believes that it can be endangered by any direct reversal—you could as soon pull the stars down from the firmament as put one farthing of duty on a quarter of corn—what I object to, I say, is, that the noble Lord by his Amendment has taken the only course that can leave the door open to an indemnity to the owners of land. [" No, no!"] I say, Yes, yes; because the Resolution, as it was framed by my hon. Friend (Mr. C. Villiers), was specially intended, if adopted by the House, to bar—as far as a vote of this House could bar—any claim to compensation. But by refusing to acknowledge that the principle of Free Trade in 1846 was " wise and just"—by expunging the word " property" in the affirmative contained in my hon. Friend's Resolution, that Free Trade has enabled property the better to bear its burdens—the noble Lord has just opened the door for the question of compensation. Now, I do not deny what has been said on the other side, that it is perfectly competent for any hon. Member who chooses to bring forward a proposition to grant compensation to the landed interest, whatever the decision of the House to-night may be: nay, I go further—I admit that if the majority of this House should decide that there shall be no compensation, still if there be a Member of this House who thinks otherwise, it is his bounden duty to advocate his convictions, and, if necessary, submit them in the shape of a Motion. But what we wanted on this occasion—on the first assembling of the new Parliament for this special purpose—was this, to affirm by a vote of this House that a majority of the House as now constituted were of opinion that the repeal of the Corn Laws was a just measure; and that there exists no right or title to compensation for that measure on the part of the landed interest. Now the noble Lord has prevented us from taking that issue. And on what grounds has this been advocated? The noble Lord has not said a word in opposition to my hon. Friend's Motion. On the contrary, he said that he approved of it, and would vote for it if necessary. He has not entered the lists in opposition to the arguments of the other side to show my hon. Friend that he is wrong, and that we ought not to go into the same lobby with him. That, I think, is the way in which a really earnest advocate of a cause would proceed; and he would not have brought forward a Resolution hostile to the views of his friends merely to accommodate the views of their opponents. He would rather have stated his own opinions and principles; and being such a master of argument, why had he not tried if he could not bring over hon. Gentlemen opposite to his own views? Now, what he would ask was, their objection to the word "just." I heard the noble Lord's reference to Gentlemen on the other side who are not Free Traders at all. ["Hear, hear!"] If I am to judge by the cheers on the other side, there are a great proportion of Gentlemen opposite who still profess themselves Protectionists. I am not, I believe, misrepresenting them. If that be the case, we do not expect them to vote for either of these Resolutions. You will be just as inconsistent, you will just as much betray your principles, if you vote for the noble Lord's Motion, as if you vote for that of my hon. Friend the Member for Wolverhampton. Nay, more; if there be a man who is still convinced that Free Trade is injurious to the country, and that Protection is a sound principle, that man betrays himself, his conscience, and his country if he votes in favour of Free Trade. Well, but the noble Lord's Resolution affirms Free Trade to the full extent of that of my hon. Friend.

And now with regard to the question of the justice of this Resolution. The right hon. Gentleman the Home Secretary, who has just sat down, says, he cannot affirm that the measure of 1846 was a just measure, because he is not prepared to say that it was a measure which affected favourably the whole community. But that is not the whole case. The question is, whether the law as it existed was a just law towards the great body of the people, or whether it was a law which, whilst it was intended to serve a small fraction of the community, did not inflict enormous and grievous injury on the great mass of the people. And if we can show that the law operated with great injury to the mass of the people, why we have a right, in their behoof, and in their interest, to the abolition of the law. And we have a right to measure the injury it occasioned by the extent of injury which you tell us you are now suffering by its abolition, because the monopoly is the measure of the injury inflicted on the rest of the community. Then, instead of your coming for compensation, why, we should have the best possible claim for restitution. Hon. Gentlemen who talk of this Corn Law at present forget altogether the history of its origin, and the manner in which it worked during the time of its existence in its greatest severity. That law was an exception to all other laws in its origin in 1815; it was passed in this House, as many hon. Members may recollect, when there was such a vehement spirit of protest against it on the part of the great mass of the people of this country that you had to surround the Houses of Parliament with armed troops. How did that law work? Have you forgotten the years 1817, 1818, and 1819? During those three years the average price of corn was 84*s.* in this country. I will trouble you with but one quotation, and that a short one, relative to the effect of your legislation at that time; it is from a work that treats of that most neglected part of the history of our country, that of the last half century. Mr. Wilkes, in his *Half Century*, said—

> "In January, 1817, wheat was 52s. a quarter; in May, 76*s.*; and in the autumn, 103*s.* Bankruptcies among the tenant-farmers, and disturbances among their labourers, kept pace with this ascent. Incendiary fires nightly blazed; threshing-machines were destroyed; rude demands for a fixed price of bread and meat were more rudely enforced; houses and shops were pillaged; and at length encounters with the military ensued. Thirty-four unhappy men were sentenced to death, which five of them suffered. In September a body of Staffordshire colliers, thrown out of work, set out for London, intending, in their ignorant simplicity, personally to petition the Prince Regent, and present him with a waggon of coals, which they drew along with them. Later in the year the iron-workers of Merthyr assembled, to the number of 10,000 or 12,000, and put out the furnaces that yielded them only partial employment. In the counties of Leicester and Nottingham the Luddite insurrection broke out with greater violence and cunning than before. Not only were factories and houses invaded, but incursions made into adjacent villages by evidently organised parties. As the winter advanced, distress became more general and severe, though large benevolent efforts had been made to arrest its progress."

In those unhappy times political disturbances followed, as they always do, in the train of distress and starvation. The period from 1817 to 1820 marks the most disgraceful era of our legislation; restrictive laws were passed to keep down the people whom your injustice urged to insurrection. During that time there were the Spa Fields riots, the Cato Street conspiracy, the outbreaks of the blanketeers, and in conclusion the Manchester massacre in 1819, which led to a reaction of the public mind that has been going on up to this time. I very much doubt whether the great political changes which have taken place in this country, as well as the suffering and disasters they caused, may not be traced in their first spring to the enactment of the Corn Laws in 1815. Those laws put a prohibitive duty on corn until it reached the price of 80*s.* in this country. What was the state of the country when I entered this House in 1841? You had whole districts in Lancashire and Yorkshire given over to desolation; in Stockport a large proportion of the houses were empty, the workhouses were filled with paupers, the manufactures of the district reduced to the worst state, until the people, driven by a kind of instinct, abandoned their workshops and mills, and stood with folded arms by the roadside in mute despair. I say that these sufferings and miseries are now, by the light of our present experience, clearly traceable to the operation of the Corn Laws as effect follows cause, because in those times of distress, if you look at the prices of wheat in Prussia, Austria, Germany, and America, and compare them with the prices that existed here, where the price was sustained by artificial means, you will find the disparity caused by a prohibitive duty, and which shows if the barriers had been broken down, and the obnoxious law abolished, you would have had those millions of quarters of wheat flowing in for the benefit of the unhappy population of this country, which now come in with such perfect tranquillity and serenity. The effect of this system upon the public health is shown in the Registrar General's Reports. What was its effect on the criminal statistics? Why, you had in 1836, when wheat was as low as 39*s.* 5*d.* a quarter, 20,984 commitments in England and Wales; but in 1842, when the price was 64*s.*, there were 31,309 commitments; and in 1850, when the price had gone back to 40*s.* 3*d.*, the commitments were 26,813; showing, in the first six years, an increase of 50 per cent in times of high prices of corn, and that when the price again fell, although the population had been increasing from 1842 to 1850, yet the number of commitments had diminished almost by 5,000 in six years. Is not this evidence? Is it not clear as daylight that you have had a system of laws in this country, which has been producing all the calamities that, as Christian men, you are bound to try to avert? Having discovered this, having brought ourselves to the conviction of the injurious tendency of those laws, I say, ought we to mince matters here? Ought we now to be occupied with a midnight discussion whether we shall brand those laws as unjust and unwise?

I have often wondered how little many of us in this House know of what is going on out of doors. Whilst you have been discussing whether this odious epithet of "just" shall be applied to the repeal of the Corn Law, all the communications I am receiving are complaining that we are too quiet, and that we do not assert our principles with sufficient vigour. Now, I think there is some ground for this. I think we have allowed hon. Gentlemen opposite to assume the tone of persons labouring under a grievance—of persons who are trampled upon—and we, the Free Traders, have been accused of striking our opponents when they were down. Now I do not see any symptoms of your being down. I have seen a very good spirit manifested in this House—I have seen a considerable amount of self-possession and confidence—and I have found not a little intolerance towards those who have been Free Traders, and consistent Free Traders. And I must say I saw with feelings very much akin to disgust the way in which a portion of the House on the other side treated the son of the great and illustrious man to whom the country owed the benefit of the repeal of those laws in 1846. I do not see that you are down, or that you are in very great danger of being trampled on. Now, I complain of hon. Gentlemen opposite, not that they have behaved badly to the Free Traders, but that they have behaved badly towards those who have sent them here. You make a complaint against the Free Traders, and you make it a ground of claiming compensation, that injury has been done to the farming interest. Well, now, I complain of the landlords of this country—I complain that you have been the authors of all the mischief to the land that you say has been worked by the repeal of the Corn Laws. For six years you have kept alive this delusion about protection in the agricultural mind throughout the country. Those six years have been a transition state for the farmers, and we Free Traders all admitted that the change from a pernicious and absurd system to one that should be just and beneficial must be attended with a transition state, in which the farmer would probably have to endure a considerable amount of suffering. There must be a transition of suffering—it is the penalty you pay for having done wrong. Still I think that the burden of this transition ought not to be thrown exclusively on the farmers' shoulders. But what has been the effect of the agitation which has been studiously maintained during the past six years? It has been to make the tenantry sufferers to an extent they never calculated upon. I will not say you have done it designedly, but if you had desired to throw the burden exclusively on the tenantry of the country, you could not have taken a more effectual course for this purpose. By sending down agitators, by sending down such men as the hon. Gentleman the Member for North Warwickshire (Mr. Newdegate) —to whom I must say I cannot return the compliment he paid me when he told me that I was a successful demagogue—but by sending down such men to figure on the platforms of county halls at agricultural meetings, you have done your little best to keep alive the delusion in the farmers' minds, and I say you have been the very worst enemies of the farmers. The hon. Member for Cambridgeshire (Mr. E. Ball) —the only tenant-farmer we have amongst us—and I should like to give him a little advice, if he will allow me, for keeping bad company does not improve one's virtue, and this metropolis is a dangerous place, especially for tenant-farmers —the hon. Gentleman tells us that during the last six years he has been nearly ruined, and that that has been the fate of tenant-farmers generally. Well, what have the agents of the landlords been about amongst the tenant-farmers during this time? They tell the farmers, "Do not talk about rents, do not talk about clearing away hedge-rows, or diminishing game; do not talk of improving your covenants, all that is nothing to the matter, you must have back Protection; there are Mr. Newdegate and the Central Society, and a hundred district Protection Societies— only trust to them, and you will get back Protection." ["Oh, oh!"] Those oh's tell me I am hitting hard—that I am near the marrow. There is the hon. and gallant Member for Lincoln (Col. Sibthorp)—[Col. Sibthorp: Hear, hear!]—who, I believe, cheers me, and who, I must say, deserves every tribute for his consistency, although, unfortunately, he has been consistently wrong. I read the hon. and gallant Colonel's address to the electors of Lincoln, and the proceedings at the Lincoln election, and I have remarked his conduct both out of doors and in this House, and I must say he has been a uniformly consistent Protectionist. But I believe that has not been the course of hon. Gentlemen around him. What I complain of is, that if they have principles they do not show themselves worthy to maintain them. They come into this House and say, "We are in favour of Protection as a principle," and they persuade the tenant-farmers that they have confidence in their cause, and that it is the cause of justice. And then how do they act here? They say there is a majority against us, and we will bow to it—we will be Free Traders—we will be Free Traders if we can call in the diplomacy of the noble Lord the Member for Tiverton. ["Oh, oh!"] It is necesary you should hear this—I tell you the farmers will read it, and therefore you need not attempt to interrupt me —even these interruptions will redound to your discredit. You say, we are in a minority, and we will bow to the majority. Now, did the Free Traders act so? When I came into Parliament, in 1841, as Member for Stockport, the first thing I encountered here was my predecessor as Member for the West Riding of Yorkshire (Mr. Stuart Wortley), representing the largest constituency in the Kingdom, appearing to move an Amendment to the Address, declaring a want of confidence in Her Majesty's Ministers for having proposed a modified system of Free Trade. And what did the hon. Gentleman say? He said, "I appear here, bearing no inconsiderable part of the answer to that message which Her Majesty has sent to the country." I was sitting by my hon. Friend the Member for Wolverhampton (Mr. C. Villiers) at the time, and could not help exclaiming, "It is enough to make one's heart sink into one's shoes to hear such things— to find the West Riding of Yorkshire sending up a Member to advocate Protection." But what did we do? Did we bow to the majority of ninety-one which turned out the Government? No; we set to work with redoubled energy, and in a few years, by means of that energy, we gained the support of the West Riding, and made our way to the convictions and hearts of those great statesmen who proposed and carried the repeal of the Corn Laws. I say to hon. Gentlemen opposite, if you believe that your cause is just, then you are bound to pursue it consistently; but if you do not believe in its justice, then cease to hold it out as just to the country. I say you want the confidence and courage of your countrymen if you have a just cause, and refuse to act in your belief of its justice, if you bow to an adverse majority and abandon your principles. If you retain your convictions, you cannot vote for the Motion of my hon. Friend—and you cannot in fairness or decency vote for the Amendment of the noble Lord (Viscount Palmerston). If you retain your convictions, act upon them with boldness, with frankness, and with honesty, and if your cause be just you will regain the ground you have lost, and make your principles triumph.

The right hon. Gentleman the Chancellor of the Exchequer has been much, and I think deservedly, censured for the course he has taken upon this question. I think it impossible for any one to speak in language too strong of the insult—I cannot call it by any other word—which has been offered to our reason, our common sense, our moral feeling, by the language held by that right hon. Gentleman within the last forty-eight hours. He has attempted to make it appear that he has not been leading or encouraging a party which has been keeping up this most mischievous delusion out of doors—he has been trying to make us believe that he discouraged rather than encouraged it. Why, I have my pocket full of extracts, not one of which I will read, because to do so would be a great insult to our memory, although they would show what degree of credit is to be attached to the right hon. Gentleman's account of these proceedings. The right hon. Gentleman has told the noble Member for North Leicestershire (the Marquess of Granby) that he has measures of relief to the agricultural interest to propose; and as if to show to what a climax of assertion and counter-assertion we have come, the right hon. Home Secretary has got up and assured the House that we must not expect any such measures. I call on hon. Members to recollect that the question really at issue to-night is the question of compensation. The right hon. Gentleman has told us too clearly his intention of compensating the landlords, to leave any doubt that he really entertains that purpose, and our division to-night will be between those who vote for Free Trade, barring all claim to compensation, and those who vote for Free Trade, leaving compensation an open question. How the friends of the late Sir Robert Peel can go into the lobby with the Protectionist party and vote against the proposition that their own measure of 1846 was a just, and a wise, and a beneficial measure, passes my comprehension. I should have thought that of all things, that which would have been most gratifying to right hon. Gentlemen would have been to see a record on our Votes giving the sanction of this House in these very terms to the great act of legislation to which they were parties. I can only say for myself, that believing that measure was wise and just — believing, from the simple facts that I have given you, that it was a measure really calculated to put an end to sedition, conspiracy, rebellion, and every calamity that can befall a population—I shall vote for the Motion of my hon. Friend (Mr. C. Villiers), and in doing so I beg most emphatically to state that this question is not settled. It cannot be settled until we have the other problem solved — I mean whether those who have been deprived of the right of making free with our bread baskets should afterwards be compensated by being allowed to put their fingers into our pockets.

Mr. ISAAC BUTT said, that it was not his intention, at that late hour, long to delay the House from the division for which hon. Members were impatient; but he, for one, felt that the tone and temper of the speech they had just heard, made it impossible to go to a division without at least some attempt at a reply. He did not recognise—humble a Member as he was, and perhaps it was fitting that an humble Member of that House should tell him so—that tone of superiority which the hon. Member for the West Riding of Yorkshire had thought proper to assume. He could not acknowledge anything in the position, in the political conduct, in the station, nor in the intellect—he boldly repeated it, in the intellect of the hon. Member which authorised him to assume that superiority over him. The hon. Member had assumed the tone and manner of a dictator to the House. He (Mr. Butt) did not need the explanation afforded by that tone and manner to understand the real object of the Resolution before the House. It was to affirm free trade that the original words were insisted on—it was not for the purpose of pledging the House to maintain it

—this would be done by the Amendment of the noble Lord the Member for Tiverton—but it was for the purpose of recording a personal triumph of the Member for the West Riding, and humiliating every party and every section in that House at the feet of himself and those associates who called themselves the Manchester School. This, he repeated, was the real object of the original Resolution. It had, indeed, been openly avowed. The intention of moving that Resolution had been first announced to the country at a public dinner at Manchester; and what then was stated as its object? The hon. Member for the West Riding there declared that when Parliament met, they would compel Ministers to recant, and not merely to recant, but to recant with humiliation. "If they continue Ministers," he said, "they must cease to sneer at the Manchester School—they must sit at the feet of the Manchester School to learn their lesson." These were the terms proposed—to sit at the feet of the Manchester School. To compel them to do so was the object of the Resolution. The hon. Member had appealed to the friends of Sir Robert Peel. He (Mr. Butt) would venture on a similar appeal. He asked of the House, would they accept this as the condition of British statesmanship? He asked of the associates of Grey—of those who remembered Canning—of those who had sat at the feet of Peel—were these to be the future terms of British statesmanship? For what other purpose were the words that were objected to insisted on? From whom did they come? They had very candidly stated to them the history of the arrangement—he would not say correction—of the Resolution, in the interesting revelation made last night by the right hon. Baronet the Member for Carlisle. The revelation was drawn up by that right hon. Baronet. If there was a man in that House more interested than another in upholding and defending the policy of 1846, that man was the right hon. Baronet the Member for Carlisle. He proposed the Resolution without these words, which now they were told were necessary to vindicate that policy. By him the Resolution was transmitted to the immediate friends of the late Sir Robert Peel. They did not think it necessary to suggest the declaration which now, indeed, they were told was necessary as an act of justice to the memory of that statesman. It was only when the Resolution was under the revision of the hon. Member for the West Riding and his associates—those who had avowed their object in passing it to be the humiliation of Her Majesty's Ministers—it was then, and then only, that these words were inserted. Was not he (Mr. Butt) justified in saying that this object was not to uphold the policy of free trade—not to do justice to the memory of Sir Robert Peel—but to carry out the proud boast of Manchester, and humiliate all parties at their feet? "But," said the hon. Member for the West Riding, "these words are necessary to close the question of compensation to the agricultural interest." No one asked for compensation in the ordinary sense of the word. ["Oh, oh!"] They might quibble about words; but that which they did ask was this: That if it could be shown that agriculture, in consideration of protection, had been made subject to peculiar burdens, that with the ceasing of the protection the peculiar burdens should also cease; and now they were asked to prejudge this question, to decide it by an abstract Resolution, without knowing what was to be proposed, without hearing the reasons by which it was to be supported, and they were asked to do this upon the very evening on which, if their proceedings had not been thus factiously interrupted, they would be at this very instant considering this question not on any abstract Resolution, but in the form of direct and tangible proposals. He (Mr. Butt) refused to bind himself until he heard the proposals that were to be made; neither could he forget the language that had been held out of doors by those who now asked of Parliament to pledge themselves against considering the claims of the agricultural interest. The hon. Member for the West Riding had warned them that he and his associates had hitherto been moderate in their agitation, but that if any party dared to attempt any new adjustment of the public burdens, their next agitation might be one against the privileges of the aristocracy. He would not be deterred by that threat. Might he be permitted to remind the House that the hon. Member for Manchester had complained that the Chancellor of the Exchequer had described that party as a Jacobin club, and had asked the right hon. Gentleman for a definition of a Jacobin club. He (Mr. Butt) thought he could supply him with one. A Jacobin club was an association that passed their resolutions outside the walls of Parliament, and then attempted to force them on Parliament by an appeal, not to their reason, but to their fears; a Jacobin club was a body of men that presumed to tell the Legislature that unless their dictation was submitted to there should be a war upon the institutions of the State. He would not be deterred by such threats from considering the just claims of any class for relief. He refused to pledge himself by any abstract Resolution against the consideration of such claims. If he did so, he would, in his judgment, betray his duty as an independent Member of that House; he would betray especially his duty to that country with which he was more immediately connected. They had the authority of Sir Robert Peel that Ireland was entitled to some relief for the injury she had suffered from the repeal of the corn laws. He would not by an abstract Resolution forego that claim. He would not fling away the promise of Her Majesty's gracious Speech that a liberal and generous policy should be adopted for Ireland. If he closed the door against the question of compensation, as it was termed, he would do both. He must still trespass for a few minutes on the patience of the House. He, like his noble Friend the Member for Leicestershire, was placed in the difficulty of not being able to support either of the propositions before the House. He could not vote for the Resolution of the noble Lord the Member for Tiverton, because he did not believe in the statements it contained. He would not at this stage of the debate attempt to argue the question; but he could not vote for a Resolution which asserted that the policy of free trade had benefited the country. But while he was prepared to record his vote against the Amendment, he could vote with a clear and safe conscience that the words for which it was substituted should be left out. He believed that these words were intended to humiliate the Ministry—to give a triumph to a particular party; and, furthermore, to close up by an abstract Resolution practical questions, which it was their duty to consider calmly and dispassionately. He must add, that while he retained his opinions upon the great question of protection and free trade as a sincere Protectionist, unshaken in his conviction, he yet could not refuse to give to Her Majesty's Ministers a general although an independent support. That support he was ready cordially and sincerely to accede to them. If he wanted anything to confirm him in such a course, let him say that he could find it in the proceedings of that debate, in the belief that they were the barriers against the presence in Her Majesty's councils of those who adopted the opinions and the tone of the hon. Member for the West Riding.

Mr. GLADSTONE: Sir, I had no intention of taking any part in this debate after the admirable speech of my right hon. Friend the Member for South Wiltshire (Mr. S. Herbert); after the observations which I thought were justly made by the noble Lord the Member for the City of London (Lord John Russell) on the speech of the right hon. Chancellor of the Exchequer; and, lastly, let me add with greater satisfaction still, after the soothing effect and the fair and moderate tone of the speech of my right hon. Friend the Secretary of State for the Home Department. I am content entirely to pass by that portion of the discussion which has related to the antecedent conduct of the Gentlemen who now hold the reins of power; but I heard from the lips of the hon. Gentleman the Member for the West Riding (Mr. Cobden) an appeal to the Friends of the late Sir Robert Peel, and an expression of astonishment on his part at the course which they intended to pursue, and of his incapacity to understand how it was possible that they could consent, upon a question of Free Trade, to be found voting in the same lobby with the party of Protectionists. That appeal it was quite impossible that I should consent on this occasion to hear in silence. The reasons why upon this occasion the Friends of the late Sir Robert Peel will be found voting in favour of the Amendment of my noble Friend the Member for Tiverton (Viscount Palmerston), which is likewise supported by Her Majesty's Government and their followers, is because they believe that vote to be dictated by a regard to the principles of justice. I am quite certain that the hon. Gentleman the Member for Wolverhampton (Mr. C. Villiers), when he proceeded to frame this Motion, did not intend in any manner to embitter party warfare, or to introduce into the usages of our conflicts what might hereafter be a precedent for greater severity and greater exasperation than those by which they have been commonly attended. It would appear from the explanation we have heard to-night that the object of the words to which objection is, I think not unjustly, taken, is simply to preclude the consideration of the question of what has been called compensation.

Now, I really must deny—I must meet

broadly, with the expression of an entirely opposite opinion, the declaration of the hon. Member for the West Riding—that the point on which we are to divide in opposite lobbies to-night is, according as we are convinced, on the one hand, that the subject of compensation for the repeal of the Corn Laws may be admitted, or, on the other hand, are convinced that no such subject should be entertained. I say that, from no rational construction of these words, is it possible to deduce such a conclusion. You rely upon the fact that you find there the statement that the repeal of the Corn Laws was just. Why, surely it is perfectly possible that that or any other great measure might be just, and might be imperatively required by the principles of justice, and yet from its operation there might collaterally arise claims for relief and compensation such as it would be impossible to resist. It may be just to abolish a sinecure, but it may likewise be just to afford compensation to the holder. It was just to emancipate the negro slaves in the West Indies, but Parliament likewise deemed it just to give compensation to those who had been their masters. Do not understand that I am now expressing an opinion that these doctrines are applicable to this case. I am simply arguing that the words on which you rely are totally unequal to bear the sense that the hon. Gentleman the Member for the West Riding has sought to put upon them. I speak with unfeigned deference with regard to any opinion of that hon. Gentleman on the question of Free Trade. I do not forget or undervalue the services which he has rendered to that cause. Agree you may in his general politics, or you may not; complain you may, if you think you have cause, of the mode and the force with which, in the freedom of debate, he commonly states his opinions in this House; but it is impossible for us to deny that those benefits of which we are now acknowledging the existence are in no small part at any rate due to labours in which he has borne so prominent a share.

Therefore, Sir, it is from no wish or idea to depreciate the praise which he has so fairly earned, that I venture most decidedly to differ from the course which he recommended on that occasion. The distinction which may be fairly taken, as it appears to me is this, the right hon. Secretary of State for the Home Department has told us that he does not think it was wise in 1846, or that it was just—taking the words with reference to the then position of public affairs—for the House to sanction the repeal of the Corn Laws; but if I understood the right hon. Gentleman the Secretary for the Home Department aright, he thinks that the repeal, if it be just and wise, should be maintained. Then what is the difference between us? It is this, that we are united—I don't speak of those who, like the hon. and learned Gentleman who last addressed the House, will support by their votes the policy which he has so candidly approved—but that all of us, I say, who are combined in voting for the Resolution of my noble Friend the Member for Tiverton are agreed in the opinion that we must now not submit as a matter of necessity, and as a choice of evils, to support the policy of Free Trade, but that we will adopt that policy as a system—that we are now resolved to adopt it, not from a mere sense of submission to an iron yoke, but because we believe its maintenance to be both "wise, just, and beneficial." Then, Sir, if this be so, the difference between us is, that those who support the Motion of my hon. Friend the Member for Wolverhampton insist that now, in the end of the year 1852, we shall travel back to 1846, and that we shall revive and renew the circumstances that then existed—that we, who now agree, shall, although we now agree, go back and oppose those with whom we once differed, and this for the purpose of preventing a united and overpowering expression of opinion in defence of the system of Free Trade. Such, Sir, I say is the public policy of the case; and I venture to put it with great confidence to the hon. Gentleman that in his Resolution he has taken steps and adopted a form of language which, so far as my knowledge goes, is entirely without Parliamentary precedent. It is a matter of the highest importance, as it appears to me, that we should not be responsible for giving in our own persons, our own conduct, and our own words, any example that can hereafter be quoted as a precedent and as a warrant for conduct that has usually been observed in political warfare in this country. I don't mean to say that there is no precedent for passing a Resolution similar in spirit to this; but I do intend to put it to this House, that there is no case in which this House has adopted such a Resolution as that of the hon. Member for Wolverhampton. I will advert, if the House will permit me, to an instance in point. It is not one that has been mentioned in the course of this debate, but it bears much more closely on the subject as an example of the view which the House of Commons has taken, of matters of this kind, than some that have been adverted to. It refers to what is popularly known as the Appropriation Clause. I refer to it without the slightest intention or desire to revive one thought of bitterness that may be connected with it. The noble Lord the Member for the City of London, who in the course of his long and distinguished career has often been the champion of causes in their infancy and weakness which he has soon brought to manhood and to victory, can well afford to have an allusion made to one of the rare cases in which his efforts have been baffled, and that by a majority of Members in this House. But he will well remember that after he had ejected Sir Robert Peel from office, in 1835, after he had constructed his Government, mainly with reference to that broad difference of parties which was developed by what is called the Appropriation Clause, he fought the battle manfully for several years, and endeavoured to induce Parliament to adopt the views which he had embodied in an abstract Resolution. In 1838 the noble Lord was obliged to give way. He stated that no Tithe Bill could conduce to the welfare of Ireland in which there was not some provision made for the religious education of the people. My hon. Friend the Member for Devonshire made a Motion in a spirit approximating to this. The hon. Baronet met the noble Lord by proposing that before the House proceeded to contradict by its acts its solemn declaration, it should rescind the Resolution it had passed. But the noble Lord the Member for the City of London said, "You have gained your purpose, the legislation is to be in your sense, but do not ask this House to disturb the Act of 1835." The noble Lord, who was then Secretary for Ireland, than whom a man of purer honour does not exist, rallied his friends round the Government, saying, "You are not content with having reversed our course, but you now ask us to adopt your own words." That appeal was successful, and the Resolution of the hon. Baronet was rejected. But I am not sorry the Government was successful, and that we failed in consequence. I trust now, Sir, notwithstanding an extraordinary prolongation of the contest which we are now closing, that a similar spirit of moderation and forbearance still predominates in this House. And I will take leave to tell the hon. Gentleman the Member for the West Riding that there is no force in his appeal to me, when he quotes the name of Sir Robert Peel, not because that name is not venerated and appreciated in my eyes, but because I am convinced, that in giving the vote we are about to give in favour of the Resolution of my noble Friend the Member for Tiverton, we are taking the course which would have been the course of Sir Robert Peel himself.

Sir, it is our honour and our pride to be his followers; and, I say, if we are his followers, let us imitate him in that magnanimity which was one of the most distinguishing characteristics of the man. When Sir Robert Peel severed a political connexion of thirty-five years' standing, he knew and felt the price he was paying for the performance of his duty. It was no small matter, Sir, in an advanced stage of life like his, to break up, and to break up for ever, too, its habits and its associations. He looked, indeed, for his revenge; but for what revenge did he look? He did not seek for a vindication through the medium of any stinging speeches or Motions made or carried in favour of his policy, if they bore a sense of pain or degradation to the minds of honourable men. His vindication was this: He knew the wisdom of his measures would secure their acceptance; he knew those who opposed them from erroneous opinions would acknowledge them after competent experience; he looked to see them established in the esteem and in the judgment of the country; he looked to see them govern by sure degrees the policy of every nation in the civilised world; he knew he would have his reward, first of all, in the enormous good that he was the instrument, in the hands of Providence, of effecting; and, secondly, in the reputation which he knew would be his own appropriate desert. And as to that aristocracy whose purposes he might feel he was then somewhat violently thwarting, I am convinced that, with a prophetic eye, he anticipated the day when every man who reviled him—if they were men, as he believed them to be, of honest judgment and intention, though perhaps using towards him opprobrious language, never so ill-deserved—that they were men who would in the course of time see that he never rendered them so great and solid a service as when, with the whole power of the Government, he proposed to Parliament the repeal of the Corn Laws. His belief was that their cause was a great and sacred cause; that the aristocracy of England were elements in its political and social system with which the welfare of the country was inseparably bound up; and to him it was a noble object of ambition to redeem such a cause from associations with a policy originally adopted in a state of imperfect knowledge and with erroneous view, but which, when the clear light of the day was poured upon it, should be found, in the daily experience, and in the light and view of the thinking portion of the community, to bear the character of much that was sordid and much that was false. He anticipated, Sir, I am convinced, those bloodless and those painless rewards which it would have been honourable and delightful to him, had it pleased God to spare his own life, which will be delightful and honourable to the hon. Member for Bury (Mr. F. Peel), and all who are entitled to claim kindred with that great man, and which are delightful to us who have had the privilege of combating by his side, and who are now, as fondly as ever attached to his memory. This is the vindication to which he looked, and seeing we are now celebrating the obsequies of this obnoxious policy, and are now seeking to adopt a declaration admitted on all hands to be perfectly clear in its assertion of the principle of Free Trade, if we still cherish the desire to trample on those who have fought manfully, and been defeated fairly, let us endeavour to put it away from ourselves, to rejoice in the great public good that has been achieved, and let us take courage, from the attainment of that good, for the performance of public duty in future.

Mr. NEWDEGATE said, he claimed the indulgence of the House for a few moments while he alluded to a matter somewhat personal. He assured the House that he thoroughly reciprocated the spirit of the eloquent speech which had just proceeded from the right hon. Gentleman the Member for the University of Oxford, and that he rose in that spirit to address them. When the hon. Member for the West Riding (Mr. Cobden) said yesterday that if any measures of relief to the agricultural interest were attempted to be introduced into that House, he would excite another agitation out of doors as virulent as the one which he had carried on with respect to the repeal of the Corn Laws, he (Mr. Newdegate) remarked that the hon. Member was a successful demagogue, with a good will to become an autocrat. That expression seemed to have irritated the hon. Member. It was made by himself under feelings of excitement, and he thought that it might be considered scarcely Parliamentary. He begged, therefore, to retract the expression as unparliamentary. But he put it to the House, whether the language of that hon. Member, not only in that House but out of it, with respect to those who were opposed to him in political opinions, but whose convictions were as honest as his own, were not calculated to raise feelings of honest indignation in the breast of every honest man to whom they were applied? The hon. Gentleman had charged those on that side of the House as being guilty of deluding the farmers; but he (Mr. Newdegate had always honestly striven in the cause which he believed to be the cause of justice, and he would not sit down quietly under the charge of deception, for he could prove by documents, if it were necessary, that no sooner did he think the prospect of reverting to the former system of commercial policy doubtful of attainment, than he warned the protection societies of the fact. One great good which would be obtained by the settlement of this question would be, that it would deprive the hon. Member for the West Riding of a theme which he incessantly used to set class against class. He (Mr. Newdegate) should vote against both Resolutions, because they deliberately reflected upon conduct of which he himself was not ashamed. He had deluded and betrayed no man: he had never betrayed the late Sir Robert Peel; for when that right hon. Baronet signed the requisition to himself as a candidate for the representation of North Warwickshire, in 1843, he told that right hon. Baronet that if he introduced measures to restrict the currency, and to repeal the corn laws, he would place him in opposition to his Government. There was no man in the United Kingdom who had so little reason to be surprised at his conduct, in 1846, as had the late Sir Robert Peel. He must express his thanks to the noble Lord the Member for Tiverton for the course which he had taken; and he assured the noble Lord, that, could he (Mr. Newdegate) have voted for any Free Trade Motion, he would have voted for his. As a Gentleman, the noble Lord had been desirous of conciliating the feelings of Gentlemen; he had acted in that manly, straightforward spirit which had always characterised his conduct in that House. When the Amendment of the noble Lord the

Member for Tiverton was put, he (Mr. Newdegate), for the reasons he had already given, should leave the House without voting upon it; but nothing should prevent his voting against the Resolution of the hon. Member for Wolverhampton.

Mr. C. VILLIERS said, that in rising to reply, he should detain the House for only a few moments in the exercise of the privilege which attached to him as the mover of the Resolution then before the House; but some remarks had been made in the course of the debate with respect to the Motion he had brought forward, which, for the sake of his own character, required he should say something. He believed and hoped that it was the last time that he should ever have to make a Motion on the same subject—certainly he thought he should not appear again in the same position, which was that of representing different sections in the House who did not exactly agree together. He was indeed afraid he had not been well selected for the purpose. He had been chosen for a reason which had been stated in the course of the debate, and by which he felt himself much flattered. He should never have thought of saying so much for himself, but it had been said that he had been a consistent advocate of the great policy of Free Trade for a long time, and that in advocating that measure his purpose had always been single. It had been said of him, indeed, that he was one among the few whose conduct had not been tainted with any sinister purpose in the matter. Now, if he deserved that character still, he feared that it had rather disqualified him from being the mover upon this occasion, for he had kept the purpose of the Motion simply in view, while it seemed that other objects should have been considered. He could not say that he had come forward against his will; on the contrary, he had done so readily and consistently with the course which he had received the credit of having hitherto pursued on the question; but he had done so at the request of others, whose purpose and feelings he believed were identical with his own, being a majority of that House; and, under these circumstances, he had proposed a Resolution which certainly embodied his own feelings, which he believed embodied the opinions of a majority of that House, and, what was of more importance, of a majority of the people of this country; and though he told the House last night that he had not the credit of being the author of the Resolution, he certainly had a great deal to do with it, and he was prepared to take the whole responsibility of it, for he was not at all ashamed of it. It was not determined upon without a great deal of consideration, and many persons were consulted about it. An hon. Friend of his behind him reminded him of the proverb that "too many cooks spoil the broth." That was sometimes the case, and was, perhaps, so in this instance. But he wished to tell the House the truth upon this subject, though very strong observations had been made upon the terms of this Resolution by some hon. Gentlemen who were more practised as politicians than himself. He had been charged by them with bringing forward a Motion without Parliamentary precedent, which was ungenerous in its character, and which seemed to have the object of wounding the feelings of hon. Gentlemen opposite; charges which, whether owing to his simplicity and folly he knew not, but which he regarded as serious imputations cast upon himself. Now, the Resolution was agreed to before the Amendment was proposed; and if a Resolution was so objectionable in its character and object, it must have been equally so when it was first proposed, and could not be affected by any Amendment subsequently moved; and yet the House must learn that, whether he referred to the noble Lord who moved the Amendment, or to the right hon. Gentleman who represented the University of Oxford, who had so eloquently addressed the House, or to other Gentlemen on this side who had spoken against his Resolution, and were going to vote against it, they had all approved of the terms of the Resolution, and most of them had been consulted before it was proposed, and some of them thought they were quite unexceptionable. [Mr. Gladstone expressed dissent.] The right hon. Gentleman expresses his dissent. The right hon. Member did not say that there was no Amendment that he would not have preferred, or that he would not have been satisfied with, instead of the Resolution; but he saw this Resolution, and he saw nothing in it itself that he considered unworthy of his support; and he intended to support it, if the Amendment had not been moved. That was, therefore, quite consistent with the idea that his (Mr. Villiers') Motion was unexceptionable. Well, then, with regard to the noble Member for Tiverton—one of the most experienced

Members of that House—if there had been anything ungentlemanlike or unparliamentary in the Resolution, would surely have taken exception to it; but the ungenteel words were submitted to the noble Lord, who did not object to them. He (Mr. C. Villiers) understood that the terms which were offensive to hon. Gentlemen opposite were the words "wise and just." Well, the noble Lord, who was kind enough to give him his advice upon the matter, let those words pass—saw no objection to them whatever. The noble Lord, indeed, so far as he (Mr. C. Villiers) remembered, pointed out something else that he considered objectionable in the Resolution as it was originally drawn, and, feeling the weight of the noble Lord's opinion, from his wisdom and experience—though it was rather troublesome to do so—made the alteration that met the views of the noble Lord. He did not mean to say that the noble Lord's Amendment might not be more expedient or better worded than his own, though, in fact, he could not distinguish very much the difference between them. It had been said that night, indeed, that the noble Lord's Resolution was stronger than his own, and other persons who spoke against the words of this Resolution had seen and approved of them before they were proposed; he asked, then, of the House with what justice the charges were brought against him, that he had proposed what was without precedent and full of danger, expressly to insult hon. Gentlemen opposite? He had done nothing, in fact, but in conformity with the request made to him, prepared a Resolution which, as nearly as possible, represented the opinion of the country—an opinion which was admitted to exist even by the Government themselves. "There is an overwhelming majority," said the First Minister of the Crown in another place, whose statement was re-echoed by his Colleagues in that House, "in favour of Free Trade;" that there was no chance of getting a majority in that House against a Free-Trade policy; and it was admitted by the hon. Member for West Surrey (Mr. Drummond)—and, indeed, on all sides—that there was a necessity for some such Motion as he had proposed, which might reflect the opinion of the country. He (Mr. C. Villiers) had farther only proposed to declare what was admitted in the Queen's Speech, that the condition of the country, and particularly of the industrious classes, was improved, and that that improvement was the result of recent commercial legislation, and particularly of the Act of 1846, which established the free admission of foreign corn, and which, therefore, as he said, was a wise, just, and beneficial measure. That was all he had proposed, and it was for that these heavy charges had been brought against him. But what was really the distinction between his Resolution and the Amendment before the House? for that was what they were going to vote upon. The Amendment states that it is the opinion of the House that the improved condition of the country, and particularly of the industrious classes

—"is mainly the result of recent legislation, which has established the principle of unrestricted competition, has abolished taxes imposed for the purpose of protection, and has thereby diminished the price and increased the abundance of the principal articles of the food of the people."

Now, the great difference between the two sides of the House, taking, for instance, the opinion of the hon. Member for Cambridgeshire (Mr. E. Ball), was, that Free Trade had produced no such effects. If there were a *bonâ fide* Amendment to that effect, he should think it perfectly fair, and could understand it. But let the country fully understand what it was that the House was now going to divide upon. It was not a question between Protection and Free Trade; whether the condition of the people had been improved by the recent change in the policy of the country or not; but whether that which was acknowledged by all to have improved the condition of the people was a wise, just, and beneficial measure. That was the point upon which every hon. Member who voted against the Resolution would express his opinion. Every one who would vote in favour of the Resolution would state by his vote that the Act which had improved the condition of the people was a wise, just, and beneficial measure; while all who voted against it would declare that they admitted the fact that the condition of the people had been improved, but that the measure which improved their condition was not a wise, just, and beneficial measure. And that brought one to the consideration of why there was to be this difference between people who agreed upon the essential point in question? Why, it had been pretty well surmised already; but if it was intended to be kept secret, better care should have been taken to have kept down the hon. Member for Youghal, as well as other Members who had informed them what was the inconvenience of calling the Act of 1846 wise? Why did the hon. Gentlemen opposite allow the hon. and learned Member for Youghal (Mr. Butt) and some other Members, to speak, for they had disclosed the secret? they had shown what stood in the way of declaring the Act of 1846 to be just and beneficial. Why, there was something behind the curtain. They had heard something of projects of compensation; but if the Act that set free the trade in food, and enabled the people to be happy and contented, and had been attended with no evil, was a wise and just Act, where was the title in anybody to be compensated for it? The fact was that a substitute for Protection was intended and expected. "Trust us," hon. Gentlemen opposite said to their constituents, "we have done you some good before at the expense of the community, and we will do so again. We can't continue the old story of Protection, but rely upon us; we never deceived you; trust us, and we will find you a substitute for Protection." Hon. Gentlemen opposite had all gone round to their constituents, and had said what they were obliged to say —"We can't restore Protection, but believe us to be your friends, and we will give you something as good;" and the only reason for which it was sought to exclude the words, "just and beneficial" from the Resolution was, because they might preclude some substitute for Protection which would be exclusively for the advantage of the landed interest. The hon. Member for West Surrey, for whom he entertained the sincerest respect, had admitted very candidly that such a Resolution as he (Mr. C. Villiers) had proposed was required, and that the terms employed in the Resolution were precisely those that the occasion required. He had, moreover, generously, in the midst of all this most unworthy imputation of motive, referred to those very terms that were employed this evening, as those which the earnest advocates of free trade contended for as the result of the repeal of the corn laws ten years ago, and when the present adherents of free trade were its most vehement opponents. That hon. Gentleman could not vote for his Resolution, because he had some constituents who had suffered in the cause of what had been for the general good, and they would hardly be reconciled to his voting for that measure as 'just' by which they had lost. If other hon. Gentlemen had spoken as candidly, there might have been some reason for striking out any words in the Resolution that might have been misunderstood. He had used the word 'just' for the simple purpose for which he had stated; and would not that hon. Gentleman admit, that if he might be misunderstood if he voted for the Resolution, that he (Mr. Villiers) might be misrepresented also if he withdrew the word 'just' then, which he had been in the habit for ten years past of applying to the same measure? If he withdrew the words, would not the natural inference be that he agreed in the assertion which had been made by two Ministers of the Crown, that the measure of 1846 was "unjust?" If he consented to withdraw, them, would it not imply that they had committed an error, when one hon. Member after another on the opposite side avowed that they did not consider the measure just, that Protection should be retained, and that it was no advantage to have the repeal of the Corn Laws? The right hon. Baronet the Member for Droitwich (Sir J. Pakington), and the right hon. Gentleman the Member for Midhurst (Mr. Walpole), two Ministers of the Crown, had avowed that they did not think the repeal of the Corn Laws was just in principle, and he could not expect them to assent to his Resolution. He owned when he proposed the Resolution he did not expect that any person on the opposite side would think it was wise or just, because the Government did not come forward as converts—they submitted to a necessity. If any Members of the Government said they were converts, the case would be different, but they said they were not converts; they only bowed and submitted to necessity. There would be a reason for considering the feelings of hon. Gentlemen if they were converts; but as they were not converts, the argument of the noble Lord (Viscount Palmerston), and the right hon. Gentleman (Mr. Gladstone), that they should consider their feelings and be tender with them, utterly failed. He had never thought of proposing a Resolution to please those who were opposed to him, and he had never heard that doctrine preached before to-night. He thought if this regard was to be paid to their opponents' feelings, more attention should be given by hon. Gentlemen who gave this advice, as to what they said themselves; and he must say he was astonished to hear the speech of his right hon. Friend the Member for South Wiltshire; he thought that his right hon. Friend had said much more that was offensive in his speech to Gentlemen opposite, than he had by any terms he had used in his Resolution. He (Mr. C. Villiers) should not like to say so much; he did not think he ever said the things that his right hon. Friend had said. Nor was he very consistent in what he did say; for he first laboured to show how extremely unjust a Corn Law must be—saying that if there was one class who ought to be less favoured than another, it was the landowners, who had so many advantages besides, and that there could be no justice in a law that had so favoured them. He said, if ever there was an act of wisdom of the Legislature, or if ever there was a law that, from its timely enactment, had saved them from great calamity, it was the Act of 1846 that repealed the Corn Law. He regarded it as having saved the country from Revolution in 1848. In short, according to his view, it was the justest measure that ever was passed, and, under the circumstances, the wisest; but, added the right hon. Gentleman, let us remember the rules of regular warfare, let us be kind, let us not call that measure wise and just, which is eminently so, let us forbear to those who would have resisted its enactment, who never showed forbearance, and who are not yet converted; let us pass the Amendment of the noble Lord (Viscount Palmerston), which avoids giving this righteous act its proper designation. He (Mr. C. Villiers) was perfectly willing to listen to any argument that would be advanced to change any course that he had adopted; but he asked anybody to place himself in his position, and, referring to the long experience he had had in connexion with this question, the invariable manner in which he had called for the repeal of the Corn Laws, in the name of justice and wisdom, say whether there was anything in these inconsistent remonstrances of Gentlemen who proposed to abandon him at the last moment—to induce him, by implication, to declare that the repeal of the Corn Law was unwise and unjust? He proposed nothing new, and he was asked to change his Motion, really, not to meet the scruples of honest converts, but to satisfy the convenience of helpless adherents to the old law, who wanted to substitute for protection something equally favourable to their friends. It was now avowedly to these ulterior views that he was now called upon to withdraw his Resolution. He could give no account of such a proceeding to those who had confidence in his integrity in this matter: this Amendment was quite unintelligible to the people—they were straightforward, they were satisfied with Free Trade—they had pronounced the measure to be wise and just. They asked their representatives in the House of Commons to declare their opinion. He could not understand an argument that had been used against the Resolution, that it was interruption to the business of the House, and unfair to the Government. That argument could not have any weight with those who had originated the Amendment, for they had principally recommended that some Resolution should be moved. He asked, then, the real friends of free trade to consider the motives that actuated him (Mr. Villiers) in proposing the Resolution, the reasons he assigned for adhering to it, and to support him. He had the greatest respect for the memory of the late Sir Robert Peel, but must candidly say that it was from no feeling of sentiment that he had proposed those words, "wise and just," or with any reference to the memory of that most eminent man, but he had introduced them because the wisdom and justice of the measure had been shown by the result. He had no other object but to frame the Resolution in such a way as to establish a comparison between Free Trade and the former policy that prevailed, and he was utterly incapable of explaining why any honest free-trader should differ with him.

VISCOUNT PALMERSTON: Sir, I am quite aware that I have no right to present myself to the House again on this question, but as my hon. Friend (Mr. C. Villiers) mentioned a circumstance which occurred between himself and me, perhaps the House will indulge me for a few moments. It is perfectly true, as my hon. Friend stated, that one evening, towards the end of the night, he showed me, at the end of that bench, a draught of the Resolution he was about to propose. I considered that he showed it to me for the purpose of seeing whether it was framed in such a manner as that I could vote for for it. I pointed out a part of it to which I could not agree. I argued with him at some length, and that passage did not appear in the Resolution as proposed. The Resolution was laid on the table. Immediately notice was given of an Amendment on the part of the Government. I then wrote to my hon. Friend. I think I said I presumed the objection of the Government was founded on a particular part of his Resolution. I stated I was sorry to see that the Motion which was intended to lead to a solemn affirmation by Parliament of a great principle of domestic policy was about to degenerate into a mere ordinary party struggle, and I entreated my hon. Friend to endeavour, by communication with the Government, to frame some form of words which might be accepted, if not unanimously, by a large majority of the House. My hon. Friend (and he will excuse me if I am obliged to go into our private conversation afterwards, but it is absolutely necessary) said that he would see me afterwards in the House. I saw him, and we talked over the matter; and, without stating the particular conversation, it is sufficient to say that what he told me left the impression on my mind that my hon. Friend was not the master of his own conduct, and that he was in the hands of other persons. It is, therefore, not fair in my hon. Friend to lead the House to suppose that, by not objecting to that part of his Resolution which led to the Amendment, I made no objection till I moved the Resolution. I wrote that note. He is perfectly at liberty to make what use he pleases of it, to show it to whom he likes, and to read it wherever he pleases.

Mr. GLADSTONE: Sir, I am about to request the indulgence of the House for a purpose similar to that of my noble Friend, and I shall have to ask for even more forbearance. If we are to be put into a glass beehive, with reference to the whole proceedings connected with the formation of this Resolution, I can only say that there is not a word I have spoken or written which is not entirely in the hands of the House. I have thought it prudent to carry the correspondence in my pocket since these explanations. All I shall now say is this, that, being aware of the numerous misunderstandings which arise in the course of such communications, I thought it but just to declare that my hon. Friend (Mr. C. Villiers) was actuated by upright and single-hearted motives in the whole of his proceedings. But with respect to the charge which he has thought proper to make against me, I meet it by stating, without going into detail, that I believe the Motion was put on the table of the House at Twelve o'clock on Wednesday, the 17th of November; and on Tuesday, the 16th of November, at Six o'clock, I wrote a note to the hon. Gentleman, and immediately despatched it to the address from which he had written to me, demurring to the terms of this Resolution in the precise part to which I objected to-night, on the ground that they would prevent from voting with him many men who, though originally opponents to corn law repeal, had since honourably and sincerely acquiesced in it.

Mr. C. VILLIERS said, that not a single word had fallen from the noble Lord (Viscount Palmerston) which did not completely confirm all that he (Mr. C. Villiers) had himself stated. For what he had said was, that the noble Lord had seen the Resolution containing the terms which had since been considered so objectionable, and that those terms were not at that time objected to by the noble Lord; and what he (Mr. C. Villiers) had now argued was, that if those terms were objectionable at one time they were so at another. With regard to what the right hon. Gentleman (Mr. Gladstone) had said, he (Mr. C. Villiers) would merely say, that the right hon. Gentleman stated that he had been informed that the right hon. Chancellor of the Exchequer considered that the exceptionable words had been inserted in the Resolution expressly for the purpose of preventing hon. Gentlemen on the Ministerial benches from concurring in the vote, and his (Mr. C. Villiers') reply to the right hon. Gentleman was, that no such intention had influenced him in inserting those words.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 256; Noes 336: Majority 80.

List of the Ayes.

Adair, H. E.
Aglionby, H. A.
Alcock, T.
Anderson, Sir J.
Anson, hon. Gen.
Armstrong, R. B.
Atherton, W.
Baines, rt. hon. M. T.
Ball, J.
Baring, rt. hon. Sir F.T.
Barnes, T.
Bass, M. T.
Bell, J.
Bellew, Capt.
Berkeley, hon. H. F.
Berkeley, hon. C. F.
Berkeley, C. L. G.
Bethell, R.
Biddulph, R. M.
Biggs, W.
Blackett, J. F. B.
Bonham-Carter, J.
Bouverie, hon. E. P.
Bowyer, G.
Boyle, hon. Col.
Brady, J.
Brand, hon. H. B. W.
Bright, J.

Brockman, E. D.
Brotherton, J.
Brown, H.
Brown, W.
Browne, V.
Bulkeley, Sir R. B. W.
Butler, C. S.
Byng, hon. G. H. C.
Carter, S.
Caulfield, Col. J. M.
Cavendish, hon. C. C.
Cavendish, hon. G.
Challis, Ald.
Chambers, M.
Chambers, T.
Chaplin, W. J.
Cheetham, J.
Clay, J.
Clifford, H. M.
Cobden, R.
Cockburn, Sir A. J. E.
Coffin, W.
Collier, R. P.
Corbally, M. E.
Cowan, C.
Cowper, hon. W. F.
Craufurd, E. H. J.
Crook, J.
Crossley, F.
Crowder, R. B.
Currie, R.
Dalrymple, J.
Dashwood, Sir G. H.
Davie, Sir H. R. F.
Denison, J. E.
Devereux, J. T.
Divett, E.
Duff, G. S.
Duff, J.
Duffy, C. G.
Duke, Sir J.
Duncan, G.
Duncombe, T.
Dundas, F.
Dunlop, A. M.
Dunne, M.
Eccles, W.
Ellice, rt. hon. E.
Ellice, E.
Elliott, hon. J. E.
Esmonde, J.
Evans, Sir De L.
Evans, W.
Ewart, W.
Fagan, W.
Fergus, J.
Ferguson, Col.
Ferguson, J.
Fitzgerald, J. D.
Fitzgerald, Sir J. F.
Fitzroy, hon. H.
Fitzwilliam, hon. G. W.
Foley, J. H. H.
Forster, C.
Fortescue, C.
Fox, R. M.
French, F.
Gardner, R.
Geach, C.
Glyn, G. C.
Goderich, Visct.
Goodman, Sir G.
Gower, hon. F. L.
Grace, O. D. J.
Greene, J.
Gregson, S.
Greville, Col. F.
Grosvenor, Lord R.
Hadfield, G.
Hall, Sir B.
Hanmer, Sir J.
Hastie, A.
Hastie, A.
Hayter, rt. hon. W. G.
Headlam, T. E.
Henchy, D. O.
Heywood, J.
Higgins, G. G. O.
Hindley, C.
Howard, hon. C. W. G.
Howard, Lord E.
Hutt, W.
Ingham, R.
Jackson, W.
Keating, R.
Keating, H. S.
Kennedy, T.
Keogh, W.
Kershaw, J.
King, hon. P. J. L.
Kingscote, R. N. F.
Kinnaird, hon. A. F.
Labouchere, rt. hon. H.
Langston, J. H.
Langton, W. H. G.
Laslett, W.
Lawless, hon. C.
Lawley, hon. F. C.
Layard, A. H.
Locke, J.
Lowe, R.
Lucas, F.
Macaulay, rt. hon. T. B.
Mackinnon, W. A.
M'Cann, J.
M'Gregor, J.
McTaggart, Sir J.
Magan, W. H.
Maguire, J. F.
Mangles, R. D.
Meagher, T.
Marshall, W.
Martin, J.
Massey, W. N.
Maule, hon. Col.
Miall, E.
Mitchell, T. A.
Milligan, R.
Mills, A.
Milner, W. M. E.
Milton, Visct.
Moffatt, G.
Molesworth, Sir W.
Monck, Visct.
Moncreiff, J.
Monsell, W.
Moore, G. H.
Moreton, Lord
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Murphy, F. S.
Norreys, Sir D. J.
O'Brien, C.
O'Brien, P.
O'Brien, Sir T.
O'Connell, M.
O'Flaherty, A.
Oliveira, B.
Osborne, R.
Otway, A. J.
Paget, Lord A.
Paget, Lord G.
Pechell, Sir G. B.
Peel, F.
Pellatt, A.
Phillimore, J. G.
Phinn, T.
Pigott, F.
Pilkington, J.
Pollard, U. W.
Ponsonby, hon. A. G. J.
Portman, hon. W. H. B.
Potter, R.
Power, N.
Price, Sir R.
Price, W. P.
Ricardo, J. L.
Ricardo, O.
Rich, H.
Robartes, T. J. A.
Roche, E. B.
Russell, Lord J.
Russell, F. C. H.
Sadleir, J.
Sadleir, J.
Scholefield, W.
Scobell, Capt.
Scrope, G. P.
Scully, F.
Scully, V.
Seymour, Lord
Seymour, H. D.
Seymour, W. D.
Shafto, R. D.
Shee, W.
Shelburne, Earl of
Shelley, Sir J. V.
Sheridan, R. B.
Smith, J. A.
Smith, J. B.
Smith, M. T.
Smith, rt. hon. R. V.
Stanley, hon. W. O.
Stansfield, W. R. C.
Stapleton, J.
Strickland, Sir G.
Strutt, rt. hon. E.
Stuart, Lord D.
Swift, R.
Tancred, H. W.
Thicknesse, R. A.
Thomson, G.
Thornely, T.
Tomline, G.
Towneley, C.
Townshend, Capt.
Tufnell, rt. hon. H.
Tynte, Col. C. J. K.
Vivian, J. H.
Vivian, H. H.
Wall, C. B.
Walmsley, Sir J.
Walter, J.
Warner, E.
Wells, W.
Whatman, J.
Whitbread, S.
Wilkinson, W. A.
Willcox, B. M.
Williams, W.
Wilson, J.
Wilson, M.
Winnington, Sir T. E.
Wise, J. A.
Wood, rt. hon. Sir C.
Wood, Sir W. P.
Wrightson, W. B.
Wyvill, M.

TELLERS.

Villiers, C. P.
Gibson, T. M.

List of the NOES.

Acland, Sir T. D.
A'Court, C. H. W.
Adderley, C. B.
Annesley, Earl of
Anson, Visct.
Arbuthnott, hon. Gen.
Archdall, Capt. M.
Arkwright, G.
Astell, J. H.
Bagge, W.
Bailey, Sir J.
Bailey, C.
Baird, J.
Ball, E.
Baldock, E. H.
Bankes, rt. hon. G.
Baring, H. B.
Baring, hon. F.
Barrington, Visct.
Barrow, W. H.
Beaumont, W. B.
Beckett, W.
Benbow, J.
Bennett, P.
Bentinck, Lord H.
Bentinck, G. P.
Beresford, rt. hon. W.
Berkeley, Sir G.
Bernard, Visct.
Blair, Col.
Blandford, Marq. of
Boldero, Col.
Booker, T. W.
Bramston, T. W.
Bremridge, R.
Brisco, M.
Brocklehurst, J.
Brooke, Lord
Brooke, Sir A. B.
Bruce, Lord E.
Bruce, C. L. C.
Buck, L. W.
Buller, Sir J. Y.
Burghley, Lord
Burrell, Sir C. M.
Burroughes, H. N.
Butt, G. M.
Butt, I.
Cabbell, B. B.
Cairns, H. M.
Campbell, Sir A. I.
Carnac, Sir J. R.
Cayley, E. S.
Chandos, Marq. of
Chelsea, Visct.
Child, S.

Cholmondeley, Lord H.
Christopher, rt.hn.R.A.
Christy, S.
Clay, Sir W.
Clinton, Lord C. P.
Clinton, Lord R.
Clive, hon. R. H.
Clive, R.
Cobbett, J. M.
Cobbold, J. C.
Cocks, T. S.
Codrington, Sir W.
Coles, H. B.
Colvile, C. R.
Compton, H. C.
Conolly, T.
Coote, Sir C. H.
Corry, rt. hon. H. L.
Cotton, hon. W. H. S.
Cubitt, Ald.
Davies, D. A. S.
Deedes, W.
Denison, E.
Dering, Sir E.
Disraeli, rt. hon. B.
Dod, J. W.
Dodd, G.
Drax, J. S. W. S. E.
Drumlanrig, Visct.
Drummond, H.
Du Cane, C.
Duckworth, Sir J. T. B.
Duncombe, hon. W. E.
Dunne, Col.
Du Pre, C. G.
East, Sir J. B.
Egerton, Sir P.
Egerton, E. C.
Euston, Earl of
Evelyn, W. J.
Farnham, E. B.
Farrer, J.
Fellowes, E.
Ferguson, Sir R.
Filmer, Sir E.
Fitzgerald, W. R. S.
Floyer, J.
Follett, B. S.
Forbes, W.
Forester, rt. hon. Col.
Forster, Sir G. M.
Franklyn, G. W.
Fraser, Sir W. A.
Freestun, Col.
Freshfield, J. W.
Frewen, C. H.
Fuller, A. E.
Gallwey, Sir W. P.
Galway, Visct.
Gaskell, J. M.
George, J.
Gilpin, Col.
Gipps, H. P.
Gladstone, rt. hon. W.
Gladstone, Capt.
Goddard, A. L.
Goold, W.
Gordon, Adm.
Goulburn, rt. hon. H.
Graham, rt. hon. Sir J.
Graham, Lord M. W.
Granby, Marq. of
Greaves, E.
Greenall, G.
Grogan, E.
Guernsey, Lord
Gwyn, H.
Hale, R. B.
Halford, Sir H.
Hall, Col.
Halsey, T. P.
Hamilton, Lord C.
Hamilton, G. A.
Hamilton, J. H.
Hanbury, hon. S. B.
Harcourt, G. G.
Harcourt, Col.
Hardinge, hon. C. S.
Hawkins, W. W.
Hayes, Sir E.
Heathcote, Sir G. J.
Heathcote, G. N.
Heneage, G. H. W.
Heneage, G. F.
Henley, rt. hon. J. W.
Herbert, rt. hon. S.
Herbert, Sir T.
Hervey, Lord A.
Hildyard, R. C.
Hill, Lord A. E.
Hogg, Sir J. W.
Hope, Sir J.
Horsfall, T. B.
Hudson, G.
Hughes, W. B.
Hume, W. F.
Inglis, Sir R. H.
Irton, S.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, J.
Johnstone, Sir J.
Johnstone, hon. H. B.
Jolliffe, Sir W. G. H.
Jones, Capt.
Jones, D.
Kelly, Sir F.
Kendall, N.
Kerrison, E. C.
King, J. K.
Kirk, W.
Knatchbull, W. F.
Knight, F. W.
Knightley, R.
Knox, Col.
Knox, hon. W. S.
Lacon, Sir E.
Laffan, R. M.
Laing, S.
Langton, W. H. P. G.
Lascelles, hon. E.
Legh, G. C.
Lemon, Sir C.
Lennox, Lord A. F.
Lennox, Lord H. G.
Leslie, C. P.
Lewis, rt. hon. Sir T. F.
Lewisham, Visct.
Liddell, H. G.
Lindsay, hon. Col.
Lockhart, A. E.
Lockhart, W.
Lopes, Sir R.
Lovaine, Lord
Lowther, hon. Col.
Lowther, Capt.
Luce, T.
Lygon, hon. Gen.
Lytton, Sir G. E. L. B.
Macartney, G.
Macaulay, K.
Mackie, J.
MacGregor, J.
Maddock, Sir T. H.
Malins, R.
Mandeville, Visct.
Manners, Lord G.
Manners, Lord J.
March, Earl of
Mare, C. J.
Masterman, J.
Maunsell, T. P.
Maxwell, hon. J. P.
Meux, Sir H.
Michell, W.
Miles, W.
Miller, T. J.
Mills, A.
Milnes, R. M.
Montgomery, H. L.
Montgomery, Sir G.
Moody, C. A.
Moore, R. S.
Morgan, O.
Morgan, C. R.
Mullings, J. R.
Mundy, W.
Muntz, G. F.
Mure, Col.
Murrough, J. P.
Naas, Lord
Napier, rt. hon. J.
Neeld, J.
Neeld, J.
Newark, Visct.
Newdegate, C. N.
Newport, Visct.
Noel, hon. G. J.
North, Col.
Ossulston, Lord
Owen, Sir J.
Packe, C. W.
Pakenham, Capt.
Pakington, rt. hon. Sir J.
Palmer, R.
Palmerston, Visct.
Parker, R. T.
Peacocke, G. M. W.
Peel, Sir R.
Peel, Col.
Percy, hon. J. W.
Phillipps, J. H.
Pigot, Sir R.
Pinney, W.
Portal, M.
Powlett, Lord W.
Prime, R.
Pugh, D.
Repton, G. W. J.
Robertson, P. F.
Rolt, P.
Rumbold, C. E.
Rushout, Capt.
Russell, F. W.
Sandars, G.
Sawle, C. B. G.
Scott, hon. F.
Seaham, Visct.
Seymer, H. K.
Sibthorp, Col.
Smijth, Sir W.
Smith, Sir F.
Smith, W. M.
Smyth, J. G.
Smollett, A.
Somerset, Capt.
Sotheron, T. H. S.
Spooner, R.
Stafford, A.
Stanhope, J. B.
Stanley, Lord
Stephenson, R.
Stirling, W.
Stuart, H.
Sturt, H. G.
Sullivan, M.
Sutton, J. H. M.
Taylor, Col.
Taylor, H.
Thesiger, Sir F.
Thompson, Ald.
Tollemache, J.
Trollope, rt. hon. Sir J.
Tudway, R. C.
Turner, C.
Tyler, Sir G.
Tyrell, Sir J. T.
Vance, J.
Vane, Lord H.
Vansittart, G. H.
Verner, Sir W.
Vernon, G. E. H.
Villiers, hon. F.
Vivian, J. E.
Vyvyan, Sir R. R.
Vyse, R. H. R. H.
Waddington, D. H.
Waddington, H. S.
Walcott, Adm.
Walpole, rt. hon. S. H.
Walsh, Sir J. B.
Welby, Sir G. E.
Wellesley, Lord C.
West, F. R.
Whiteside, J.
Whitmore, H.
Wickham, H. W.
Wigram, L. T.
Williams, T. P.
Willoughby, Sir H.
Wodehouse, E.
Worcester, Marq. of
Wortley, rt. hon. J. S.
Wyndham, Gen.
Wyndham, W.
Wynn, H. W. W.
Wynn, Sir W. W.
Wynne, W. W. E.
Yorke, hon. E. T.
Young, Sir J.

TELLERS.
Mackenzie, W. F.
Bateson, T.

Words *added:*—Main Question put, as amended—

"That it is the opinion of this House, that the improved condition of the Country, and especially of the Industrious Classes, is mainly the result of recent Legislation, which has established the principle of unrestricted competition, has abolished Taxes imposed for the purposes of Protection, and has thereby diminished the cost and increased the abundance of the principal articles of the Food of the People."

The House *divided* :—Ayes 468; Noes 53: Majority 415.

List of the AYES.

Acland, Sir T. D.
A'Court, C. H. W.
Adair, H. E.
Adderley, C. B.
Aglionby, H. A.
Alcock, T.
Anderson, Sir J.
Annesley, Earl of
Anson, hon. Gen.
Anson, Visct.
Arkwright, G.
Armstrong, R. B.
Astell, J. H.
Atherton, W.
Bailey, Sir J.
Bailey, C.
Baines, rt. hon. M. T.
Baird, J.
Ball, J.
Baldock, E. H.
Bankes, rt. hon. G.
Baring, H B.
Baring, rt. hon. Sir F. T.
Barnes, T.
Barrington, Visct.
Bass, M. T.
Bateson, T.
Beaumont, W. B.
Beckett, W.
Bell, J.
Bellew, Capt.
Benbow, J.
Bennet, P.
Beresford, rt. hon. W.
Berkeley, hon. H. F.
Berkeley, hon. C. F.
Berkeley, C. L. G.
Berkeley, Sir G.
Bernard, Visct.
Bethell, R.
Biddulph, R. M.
Biggs, W.
Blackett, J. F. B.
Blair, Col.
Blandford, Marq. of
Boldero, H. G.
Bonham-Carter, J.
Bowyer, G.
Brady, J.
Bramston, T. W.
Bright, J.
Brisco, M.
Brocklehurst, J.
Brockman, E. D.
Brooke, Sir A. B.
Brotherton, J.
Brown, H.
Brown, W.
Browne, V.
Bruce, Lord E.
Bruce, C. L. C.
Bulkeley, Sir R. B. W.
Burrell, Sir C. M.
Burroughes, H. N.
Butler, C. S.
Butt, G. M.
Byng, hon. G. H. C.
Cabbell, B. B.
Cairns, H. M.
Carnac, Sir J. R.
Carter, S.
Caulfield, Col. J. M.
Cavendish, hon. C. C.
Cavendish, hon. G.
Cayley, E. S.
Challis, Ald.
Chambers, M.
Chambers, T.
Chandos, Marq. of
Chaplin, W. J.
Cheetham, J.
Chelsea, Visct.
Child, S.
Cholmondeley, Lord H.
Christopher, rt. hn. R. A.
Christy, S.
Clay, Sir W.
Clinton, Lord C. P.
Clinton, Lord R.
Clive, hon. R. H.
Clive, R.
Cobbett, J. M.
Cobbold, J. C.
Cobden, R.
Cockburn, Sir A. J. E.
Cocks, T. S.
Coffin, W.
Collier, R. P.
Colvile, C. R.
Compton, H. C.
Conolly, T.
Coote, Sir C. H.
Corbally, M. E.
Corry, rt. hon. H. L.
Cotton, hon. W. H. S.
Cowan, C.
Cowper, hon. W. F.
Crook, J.
Crossley, F.
Crowder, R. B.
Cubitt, Ald.
Currie, R.
Dalrymple, J.
Dashwood, Sir G. H.
Davie, Sir H. R. F.
Davies, D. A. S.
Denison, E.
Denison, J. E.
Dering, Sir E.
Devereux, J. T.
Disraeli, rt. hon. B.
Divett, E.
Dodd, G.
Drumlanrig, Visct.
Drummond, H.
Du Cane, C.
Duckworth, Sir J. T. B.
Duff, G. S.
Duff, J.
Duffy, C. G.
Duke, Sir J.
Duncan, G.
Dundas, F.
Dunne, M.
East, Sir J. B.
Egerton, E. C.
Ellice, rt. hon. E.
Elliot, hon. J. E.
Esmonde, J.
Euston, Earl of
Evans, Sir De L.
Evans, W.
Evelyn, W. J.
Ewart, W.
Fagan, W.
Farrer, J.
Fergus, J.
Ferguson, Col.
Ferguson, Sir R.
Ferguson, J.
Fitzgerald, J. D.
Fitzgerald, Sir J. F.
Fitzgerald, W. R. S.
Foley, J. H. H.
Follett, B. S.
Forester, rt. hon. Col.
Forster, C.
Forster, Sir G. M.
Fortescue, C.
Fox, R. M.
Franklyn, G. W.
Fraser, Sir W. A.
Freestun, Col.
French, F.
Freshfield, J. W.
Fuller, A. E.
Gallwey, Sir W. P.
Galway, Visct.
Gardner, R.
Gaskell, J. M.
Geach, C.
George, J.
Gibson, rt. hon. T. M.
Gipps, H. P.
Gladstone, rt. hon. W.
Gladstone, Capt.
Glyn, G. C.
Goderich, Visct.
Goodman, Sir G.
Gordon, Adm.
Goulburn, rt. hon. H.
Gower, hon. F. L.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Graham, Lord M. W.
Greaves, E.
Greenall, G.
Greene, J.
Gregson, S.
Greville, Col. F.
Hadfield, G.
Hale, R. B.
Halford, Sir H.
Hall, Sir B.
Hall, Col.
Halsey, T. P.
Hamilton, Lord C.
Hamilton, G. A.
Hamilton, J. H.
Hanmer, Sir J.
Harcourt, G. G.
Harcourt, Col.
Hardinge, hon. C. S.
Hastie, A.
Hastie, A.
Hawkins, W. W.
Hayes, Sir E.
Headlam, T. E.
Henchy, D O.
Heneage, G. H. W.
Henley, rt. hon. J. W.
Herbert, rt. hon. S.
Herbert, Sir T.
Hervey, Lord A.
Heywood, J.
Higgins, G. G. O.
Hill, Lord A. E.
Hindely, C.
Hogg, Sir J. W.
Hope, Sir J.
Horsfall, T. B.
Howard, hon. C. W. G.
Howard, Lord E.
Hudson, G.
Hughes, W. B.
Hume, W. F.
Hutt, W.
Ingham, R.
Inglis, Sir R. H.
Irton, S.
Jackson, W.
Jermyn, Earl
Jocelyn, Visct.
Johnstone, J.
Johnstone, Sir J.
Johnstone, hon. H. B.
Jolliffe, Sir W. G. H.
Jones, Capt.
Jones, D.
Keating, R.
Keating, H. S.
Kennedy, T.
Keogh, W.
Kerrison, E. C.
Kershaw, J.
King, hon. P. J. L.
Kingscote, R. N. F.
Kinnaird, hon. A. F.
Kirk, W.
Knight, F. W.
Knox, Col.
Knox, hon. W. S.
Labouchere, rt. hon. H.
Lacon, Sir E.
Laffan, R. M.
Laing, S.
Langton, W. H. G.
Langton, W. H. P. G.
Lascelles, hon. E.
Lawless, hon. C.
Lawley, hon. F. C.
Layard, A. H.
Legh, G. C.
Lennox, Lord H. G.

Lewis, rt. hon. Sir T. F.
Lewisham, Visct.
Liddell, H. G.
Lindsay, hon. Col.
Locke, J.
Lockhart, A. E.
Lockhart, W.
Lovaine, Lord
Lucas, F.
Luce, T.
Lygon, hon. Gen.
Lytton, Sir G. E. L. B.
Macaulay, rt. hon. T. B.
Macaulay, K.
Mackenzie, W. F.
Mackie, J.
Mackinnon, W. A.
M'Cann, J.
M'Gregor, J.
M'Taggart, Sir J.
Magan, W. H.
Maguire, J. F.
Mandeville, Visct.
Mangles, R. D.
Manners, Lord G.
Manners, Lord J.
Mare, C. J.
Meagher, T.
Marshall, W.
Martin, J.
Massey, W. N.
Masterman, J.
Maule, hon. Col.
Meux, Sir H.
Miall, E.
Michell, W.
Mitchell, T. A.
Miller, T. J.
Milligan, R.
Mills, A.
Mills, T.
Milner, W. M. E.
Milnes, R. M.
Milton, Visct.
Moffatt, G.
Molesworth, Sir W.
Monck, Visct.
Monsell, W.
Montgomery, H. L.
Montgomery, Sir G.
Moody, C. A.
Moore, G. H.
Moore, R. S.
Moreton, Lord
Morgan, C. R.
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Mullings, J. R.
Mundy, W.
Muntz, G. F.
Mure, Col.
Murphy, F. S.
Murrough, J. P.
Naas, Lord
Napier, rt. hon. J.
Newport, Visct.
Norreys, Sir D. J.
O'Brien, C.
O'Brien, P.
O'Brien, Sir T.
O'Connell, M.
Oliveira, B.
Otway, A. J.
Owen, Sir J.
Paget, Lord A.
Paget, Lord G.
Pakenham, Capt.
Pakington, rt. hn. Sir J.
Parker, R. T.
Peacocke, G. M. W.
Pechell, Sir G. B.
Peel, Sir R.
Peel, F.
Peel, Col.
Pellatt, A.
Percy, hon. J. W.
Phillips, J. H.
Phillimore, J. G.
Phinn, T.
Pigott, F.
Pilkington, J.
Pinney, W.
Pollard-Urquhart, W.
Ponsonby, hon. A. G. J.
Portman, hon. W. H. B.
Potter, R.
Power, N.
Powlett, Lord W.
Price, Sir R.
Price, W. P.
Pugh, D.
Ricardo, J. L.
Ricardo, O.
Rich, H.
Robartes, T. J. A.
Robertson, P. F.
Roche, E. B.
Rolt, P.
Rumbold, C. E.
Russell, Lord J.
Russell, F. C. H.
Russell, F. W.
Sadleir, J.
Sadleir, J.
Sandars, G.
Sawle, C. B. G.
Scholefield, W.
Scobell, Capt.
Scrope, G. P.
Scully, F.
Scully, V.
Seaham, Visct.
Seymer, H. K.
Seymour, Lord
Seymour, H. D.
Seymour, W. D.
Shafto, R. D.
Shee, W.
Shelburne, Earl of
Shelley, Sir J. V.
Sheridan, R. B.
Smith, J. A.
Smith, J. B.
Smith, M. T.
Smith, Sir F.
Smyth, J. G.
Smollett, A.
Sotheron, T. H. S.
Stafford, A.
Stafford, Marq. of
Stanley, Lord
Stanley, hon. W. O.
Stansfield, W. R. C.
Stapleton, J.
Stirling, W.
Strickland, Sir G.
Strutt. rt. hon. E.
Stuart, Lord D.
Stuart, H.
Sturt, H. G.
Sullivan, M.
Sutton, J. H. M.
Swift, R.
Tancred, H. W.
Taylor, H.
Thesiger, Sir F.
Thicknesse, R. A.
Thomson, G.
Thornely, T.
Towneley, C.
Trollope, rt. hon. Sir J.
Tufnell, rt. hon. H.
Turner, C.
Tynte, Col. C. J. K.
Tyrell, Sir J. T.
Vane, Lord H.
Verner, Sir W.
Vernon, G. E. H.
Villiers, hon. C. P.
Villiers, hon. F.
Vivian, J. E.
Vivian, J. H.
Vivian, H. H.
Vyvyan, Sir R, R.
Waddington, D.
Waddington, H. S.
Wall, C. B.
Walmsley, Sir J.
Walpole, rt. hon. S. H.
Walsh, Sir J. B.
Walter, J.
Warner, E.
Wellesley, Lord C.
West, F. R.
Whatman, J.
Whitbread, S.
Whiteside, J.
Whitmore, H.
Wickham, H. W.
Wilkinson, W. A.
Williams, W.
Willoughby, Sir H.
Wilson, J.
Wilson, M.
Winnington, Sir T. E.
Wise, J. A.
Wood, rt. hon. Sir C.
Wood, Sir W. P.
Wortley, rt. hon. J. S.
Wrightson, W. B.
Wyndham, Gen.
Wyndham, W.
Wynn, H. W.
Wyvill, M.

TELLERS.
Young, Sir J.
Palmerston, Visct.

List of the NOES.

Archdall, Capt. M.
Bagge, W.
Ball, E.
Baring, hon. F.
Barrow, W. H.
Bentinck, G. P.
Booker, T. W.
Brooke, Lord
Butt, I.
Campbell, Sir A. I.
Codrington, Sir W.
Coles, H. B.
Dod, J. W.
Egerton, Sir P.
Fellowes, E.
Filmer, Sir E.
Goddard, A. L.
Heneage, G. F.
Kendall, N.
King, J. K.
Knatchbull, W. F.
Knightley, R.
Leslie, C. P.
MacGregor, J.
Malins, R.
Maxwell, hon. J. P.
Miles, W.
Morgan, O.
Newdegate, C. N.
Noel, hon. G. J.
North, Col.
Packe, C. W.
Palmer, R.
Portal, M.
Prime, R.
Scott, hon. F.
Sibthorp, Col.
Smith, W. M.
Somerset, Capt.
Spooner, R.
Stanhope, J. B.
Stephenson, R.
Talbot, C. R. M.
Thompson, Ald.
Tollemache, J.
Tudway, R. C.
Tyler, Sir G.
Vansittart, G. H.
Vyse, R. H. R. H.
Williams, T. P.
Worcester, Marq. of
Wynne, W. W. E.
Yorke, hon. E. T.

TELLERS.
Granby, Marq.. of
Frewen, C. H.

Resolved—

"That it is the opinion of this House, that this Policy, firmly maintained and prudently extended, will, without inflicting injury on any important Interest, best enable the Industry of the Country to bear its burthens, and will thereby most surely promote the welfare and contentment of the People."

Resolved—

"That this House will be ready to take into consideration any measures, consistent with these principles, which, in pursuance of Her Majesty's gracious Speech and Recommendation, may be laid before it."

The House adjourned at Two o'clock till *Monday* next.

HOUSE OF LORDS,

Monday, November 29, 1852.

MINUTES.] *Took the Oaths.* — Several Lords.

MILITARY PENSIONERS.

LORD PANMURE rose to put a question to the noble Earl at the head of the Government, of which he had given him notice. Before, however, putting his question, he hoped he might be permitted to enter into a short preliminary explanation of the subject to which his question related, in order that he might render the question itself more clear and intelligible. His question had reference to a meritorious class of individuals who had rendered considerable public service in various parts of the world—he meant the body of pensioners belonging to the British Army. It would be in the recollection of their Lordships that in 1843 his noble and gallant Friend, now Commander of the Army, but who then held the office which he (Lord Panmure) had afterwards the honour of holding—that of Secretary at War — introduced a measure for enrolling the pensioners who had received pensions for long service into a body fit for service under arms. When he (Lord Panmure) had the honour of succeeding to that office which his noble and gallant Friend had held with so much advantage to the public, he found that those pensioners had been of so much advantage to the public service, that he brought a Bill into the House of Commons, to which that House subsequently assented, to increase their number from 10,000, at which Lord Hardinge had fixed it, to 30,000, the number now enrolled. Those pensioners had been enrolled for nearly ten years, and had served the country with a zeal and fidelity which it was not necessary for him to praise, because all who had had anything to do with them had highly commended them. In 1847, so beneficial were their services esteemed in this country, that Earl Grey, who was then head of the Colonial Office, and himself (Lord Panmure), who was then in the War Office, thought it right to extend their services to the Colonies; and accordingly in 1847 they first sent pensioners out to New Zealand, where they had proved themselves extremely useful in the then disturbed state of that colony. Those men had proved themselves efficient, not only in rendering military service to the Crown, but they were the means of enabling the authorities in this country to withdraw a portion of the Queen's troops from that colony. The pensioners were sent out on certain conditions; they were to have certain accommodation afforded, in the shape of houses, with lands attached to them, which they were to be permitted to cultivate and improve. In New Zealand, Australia, and Van Diemen's Land, to each of which colonies the Government sent bodies of men, these conditions had been faithfully kept; and the result was, that these pensioners were contented and faithful, and the services which they rendered to the Crown were undeniable. From that part of the world the noble Earl, late Colonial Secretary, and himself directed their views to Canada, where they found a considerable number of pensioners located who were not enrolled. It was deemed advisable to send Major Drummond out there in order to ascertain whether these pensioners were capable of service, and if the Government in the Canadian colonies had any control over any portion of the land there which might be granted to those pensioners when they came to settle in the different localities to which they were sent. It was found that there were certain military reserves in Canada which were at the disposal of the Government, and that in the neighbourhood of Montreal and Toronto the Ordnance had entire control over certain military reserves, which, if they were disposed to surrender, would suit admirably for the purpose of locating pensioners upon. In communicating with the Ordnance they found that there was no difficulty on their part in surrendering those lands for the use of the number of pensioners it was then thought requisite or safe to send out at one period. They accordingly sent out a certain detachment to Canada, and the Government were consequently enabled to withdraw many of their troops from that colony also. In one portion of the Canadas, all the conditions which had been made with the pensioners had been faithfully fulfilled, and he believed that there was not a more contented or loyal body to be found than were located in that particular part of Canada. Elsewhere, he understood that the condition held out to the pensioners, though partially had not been entirely fulfilled; for instance, at Toronto. In sending the pensioners to Toronto, the conditions entered into with them were exactly the same as in the other places, namely, that they should receive a certain portion of those lands which they were to cultivate, and to hold upon certain terms. Now he understood that these pensioners had been there for many months—there were 220 of them settled at Toronto—and no steps had been as yet taken to fulfil the conditions upon which they were sent there. He did not wish to throw any blame upon the Government in this matter—all he wished was, to draw their attention to the fact. He was sure that the noble Earl must be aware that no body of men were so jealous of any infringement of any conditions made with them as old soldiers and sailors, who had served their country for many years, and had retired upon pensions. Their Lordships might recollect the unfortunate step taken in 1831, in sending out old soldiers to Canada, and inducing them to commute their pensions to four years' purchase. They might remember the sad fate of many of the men who were led to enter into that melancholy bargain. It happened to him when Secretary at War to have had occasion to call upon the public to reimburse those men for the losses they had sustained, and a more grateful task he had never had to perform. That, however, should be a caution to us as to how we sent pensioners abroad in the present day, upon conditions which were not only written, but which were printed and put into each man's hand on the authority and honour of the Secretary of State and the Secretary at War for the time being. He wished to impress upon the Government that they should lose no time in settling with these old soldiers upon terms that would prove satisfactory to them. They might rely on it, according as they increased that force, that they would have the best system of military colonisation that could be possibly adopted, and they would be increasing in the Colonies the number of loyal subjects, who would be ever loyal to the Queen, and bound by other obligations to the service of this country. Having said so much by way of explanation, he would now ask the noble Earl whether it was true that these conditions had not as yet been fulfilled, so far as regarded the pensioners who were settled at Toronto? Whether it was the intention of the Government to carry out those conditions? or, if the Government found those conditions to be impracticable, or in case some unexpected difficulty had arisen, whether they were prepared to offer any compensation, so as to remunerate those pensioners for the failure of the conditions entered into with the former Government?

The Earl of DERBY said, that though he agreed with the noble Lord in many parts of his speech, there was one part of it in which he entirely and most especially agreed—namely, that a succeeding Government, whatever opinion it might entertain of the policy which dictated them, was bound to carry out fully the engagements into which its predecessors had entered with any class of persons. He further agreed with the noble Lord in his observation that there was no class of men with whom it was more incumbent that good faith should be strictly observed than that class of men to whom he had more particularly referred—namely, the discharged pensioners of the Army and Navy. At the same time, he must remark that he entertained strong doubts whether the system to which the noble Lord had adverted, and which had been in partial operation for the last three or four years, was likely to be productive of so much unmixed benefit as the noble Lord expected; and he could not but fear that some inconvenience would result, as had resulted on a former occasion, from sending out old pensioners to engage in a mode of life for which their previous habits had unfitted them; and, moreover, that you would not gain from them in another country that military protection for which the noble Lord was such an advocate. That had, however, nothing to do with the question of good faith. He doubted the policy of the original scheme; and he doubted it the more, because there was no provision made, as their Lordships were well aware, for the removal of these old soldiers from the little plots on which they were located when they were incapable of military service, or of working on and cultivating their land. Consequently, at no distant period you would have settled on lands near the town a pauperised and discontented population. The facts, as stated by the noble Lord, were, that up to the present moment the conditions held out to the pensioners sent to Toronto had not been fulfilled. That was not the fault of the present Government, but arose out of the course adopted by their predecessors in sending the men out with a promise of locating them immediately on land without having previously ascertained whether there was any such land at the disposal of Government. He held in his hand at that moment the printed conditions on which the pensioners had been sent out. It was there stated that the pensioners were to receive a free passage and rations for themselves and families to such countries as the Government might determine upon for their future habitation and service. There were to be certain advances made to them for the purpose of building houses, and from three to four acres of land were to be allotted to each man in the immediate neighbourhood of towns, upon which these houses, or rather cottages, were to be built. He doubted the policy of that arrangement; for, though it was clear that the pensioners might eke out an existence in this manner while they were capable of military service and of working on the land; yet, when strength failed them for one or both, there was no provision made for the support either of themselves or of their families. There was also another point in the printed conditions which must not be overlooked. "It must be distinctly understood that the grant of land depends on the quantity available by Government, and that the want of it affords no claim for compensation. All that will be insured is a free passage to Upper Canada, where provisions are cheap, and where employment can be easily obtained." Now, in the case of the pensioners at Toronto these were the facts: 220 of them had been sent out. The expectation held out to them was, that from two to three acres of land would be granted to them in the neighbourhood of that town. The whole of the Ordnance reserve in Toronto, if every inch were made available for this purpose, amounted to less than 400 acres; so that it would be insufficient, even at a *minimum* allowance, for 220 persons. Whether the late Government was aware of the fact or no he could not say: but the fact was that, supposing all the Ordnance reserve had been available, 270 or 280 acres of it were let under a lease to the corporation of Toronto. Therefore, all the disposable land under the control of the Government was only 120 acres, even supposing you wanted none of it for Ordnance purposes. Now, there had been a dispute for some time between the corporation of Toronto and the Government on this point—namely, how far the Government had power to rescind that lease? Now, that point ought to have been ascertained before the pensioners were sent out. A great portion of time had been consumed in discussion between the corporation of Toronto and the Government upon the powers of this lease; and recently a proposition had been made by the corporation of Toronto, that if the Government would allow them to take 100 acres for the purpose of forming it into a park for the town of Toronto, they would pay 1,000*l.* for the clearing of the wilderness—for such it was —in order that the pensioners might be comfortably and satisfactorily settled in their location, though smaller than at first contemplated. There was also a further deduction to be made from the quantity of land available to the purposes of the Ordnance. By an Act of the Colonial Parliament passed three or four years ago, to which the Ordnance had paid at the time little or no attention, power was given to a certain railway to cut right through the centre of this land. The railway had, therefore, taken nine acres more. Here, then, was another element of uncertainty, which thus rendered it impossible for the Government to settle these pensioners in the immediate neighbourhood of Toronto in the way originally intended. Such was the condition in which they found this affair on their entering upon office; and such he believed it to be at the present moment; so that, unless some progress had recently been made in the negotiation, although the pensioners had been enrolled and called out, and served their twelve days, the conditions held out to them had not been fulfilled. While he said that the conditions had not been fulfilled, he thought it right, also, to add, that it was the duty of Her Majesty's Government, whatever it might think of the policy of the original bargain, to provide either literally for the fulfilment of the original contract, or for the making of such compensation to the pensioners as justice might require and they were willing to accept. There was another point which he must notice before he quitted this subject, and to which the noble Lord had not at all adverted—namely, the wisdom of disposing of lands in this way for Ordnance purposes. If this land near Toronto were to continue available for such purposes, it would be necessary to prohibit the construction of any extensive buildings upon it, and to limit the construction to cottages of a single story; but, if the land were not to be kept entirely clear for Ordnance purposes, in that case, from the circumstance of its close proximity to the city of Toronto, it might become valuable for building purposes; and yet, by the terms of this agreement with the pensioners, it must be let to them on short and terminable leases, thus rendering it less valuable, and, as an arrangement, not the best to be made for the parties themselves. It was clear that, if these parties had a right to claim to be placed on this land, and to have a lease granted to them of the cottage built thereon, and of the two acres to be attached to it, the general value of the land would be sacrificed in a way in which it ought not to be sacrificed. In his opinion it was not advisable to devote, as we were going to do, to permanent garden ground land which might be far more valuable for building purposes. He believed that these questions were under the consideration of Her Majesty's Government. The Colonial Secretary was giving his attention to them, and he hoped that at no very distant period there would be a satisfactory settlement of the whole of this question.

Lord PANMURE would be prepared to discuss the policy of this arrangement with the noble Earl at any future period he liked, but would not enter upon that discussion at present. His object in rising now was merely to deny the noble Earl's observation that the pensioners had been sent out without its having been previously ascertained whether the Government had any land whereon to locate them. The noble Earl laboured upon that point under a grievous mistake. Before the pensioners were sent to Toronto, Her Majesty's Government of that day had ascertained that the Ordnance had both the power and the will to surrender to them the land in question. He could not see any reason why such surrender was not made long ago. The whole question turned upon this:—When we took the land, it was, as the noble Earl truly said, part of the wilderness. The corporation of Toronto had leased a portion of it for the express purpose of making improvements. It failed in its engagement to do so; and he believed that the Ordnance had in consequence declared their lease to be forfeited. As to the objection taken by the noble Earl, that this land was wanted for the military defence of Toronto, he had only to say that he had himself visited Toronto; that it was a perfectly open place; that it had neither fortification nor battery; that the barracks which it contained were rather erected to keep the inhabitants in, than an enemy out; and that, to speak the plain truth, it was no more a fortified place than London was. On the most impoverished land in Canada the pensioners were doing well—no settlers better.

The Earl of DERBY reiterated his former statement, and added, that he had received an account only that morning, stating that the whole of this land ought to be kept clear, to prevent an enemy from approaching in the rear of Toronto, and from taking a position on those points from which the town could be most easily annoyed.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Monday, November 29, 1852.

Minutes.] New Writ.—For Lisburne, *v.* Sir James Emerson Tennant.

Public Bills.—2° Courts of Common Law (Ireland); West India Colonies, &c., Loans Act Amendment.

Reported.—Bank Notes.

COMMERCIAL LEGISLATION—THE DIVISION.

Mr. NEWDEGATE said, he was about to solicit the indulgence of the House while he alluded, in a few words, to a matter personal to himself. He had had the honour of being for nearly ten years a Member of that House; he now found himself in a situation which he never before had experienced—that of having twice stated that he would not do what he afterwards had done. He had declared on two occasions that he would not vote upon the Amendment of the noble Lord the Member for Tiverton, in the division which had taken place on last Saturday morning; but his name, nevertheless, appeared in the division list as having voted on that occasion. He felt, therefore, that he stood in the position of having broken his word with the House; and, in justice to himself, he was most desirous to assure the House that his having done this was entirely unintentional. He fully intended to have left the House, and not to have voted at all on the Amendment of the noble Lord the Member for Tiverton, and to this intention he should have faithfully adhered were it not that having been unexpectedly locked in, he was obliged to vote. This explanation he felt to be due alike to the House and to himself, for he was jealous of his own honour, and he knew that the House paid a just regard to the character and conduct of its Members. He hoped, therefore, that this House would pardon the liberty he had taken in thus trespassing on their attention.

MR. KEOGH said, he wished to put a question to Mr. Speaker with reference to the order of their proceedings. It would be in the remembrance of the House that, on last Saturday morning, after the Motion of the hon. Gentleman the Member for Wolverhampton (Mr. C. Villiers) had been considered and divided on, another division was taken on the Motion of the noble Lord the Member for Tiverton (Viscount Palmerston). He was informed that, while the division on the latter Motion was being taken, three Members of the House—namely, the hon. and learned Gentleman the Solicitor General (Sir F. Kelly), the noble Lord the Member for West Surrey (the Earl of March), and the hon. Gentleman the Member for Middlesex (Mr. B. Osborne), were concealed in the room at the back of Mr. Speaker's chair. He did not pretend to conjecture for what reason those three Members were so concealed, but he should like to know whether the room in question was a place of legitimate retreat—to which, whenever a Member of the Government might not like to vote with the Government, he was to be at liberty to retire? He should also like to know whether the division of Saturday morning had been properly taken, or whether the three Gentlemen in question might not have been, and ought not to have been, brought to the table, and compelled to say "aye" or "no" to the question?

MR. SPEAKER: Any Member who may be in either of the rooms at the back of the Chair, at the time of a division, is clearly entitled not to vote. Ever since the House has assembled in its present chamber, it has been ruled that the two rooms behind the Chair are out of the House; and this being so, the House has clearly no power to compel Members to vote who may choose to retire to those rooms.

Subject dropped.

BUDDHISM IN CEYLON.

SIR ROBERT H. INGLIS said, he would beg to ask the right hon. Secretary of State for the Colonies, whether the connexion between the Queen's Government in Ceylon, and the idolatry of any part of Her Majesty's subjects therein, be or be not severed; whether the custody of the Buddhist relic be or be not transferred to those who regard it as sacred; whether any act of the Queen's Government be or be not required to entitle the priest of a Buddhist temple to exercise any function in respect to the property of such Buddhist temple; and, lastly, whether it be or be not the intention of Her Majesty's Government to transfer to the Buddhist priests all the concerns of their own religion in Ceylon?

SIR JOHN PAKINGTON said, that, in order to answer the series of questions the hon. Baronet (the Member for the University of Oxford) had addressed to him, he must ask the indulgence of the House for a very few moments, although it was quite impossible in giving such an answer to enter then into all the complicated details with which the subject was necessarily surrounded. His hon. Friend was, of course, aware that the matter to which he had referred, was one which had occupied the attention of successive Administrations in this country, and excited very considerable difficulty and embarrassment in Ceylon. The Christian community of Ceylon, and also many parties in the country, had taken objection to anything like a connexion between the Government of Great Britain, or the Representative of the Queen's Government in the island of Ceylon, and the system of idolatry which existed there, and was known by the name of Buddhism. But it appeared to him that it was forgotten by those who had taken an interest in this matter, that there were certain treaty obligations in existence which could not be lost sight of. The House was no doubt aware that the territory of the ancient kings of Kandy was acquired by this country in the year 1815. At that time a Convention was entered into between the Representative of the Government of this country and the King of Kandy, and one of the articles of that Convention ran in these terms:—"That the religion of Buddha professed by the chiefs and inhabitants of this province is declared inviolable, and its rites, ministers, and places of worship are to be maintained and protected." Subsequently a Proclamation was issued by the British Representative in the island, and under that Proclamation he (Sir J. Pakington) was prepared to contend that the obligations which the Government of this country had entered into on the subject of maintaining the Buddhist religion were not in the least altered. True, there were certain words to some extent qualifying these obligations; but essentially the general obligation to maintain and protect the Buddhists in the exercise of their religion remained untouched. It had been contended, he believed by parties in Ceylon, and he had heard it contended elsewhere, that the Convention alluded to was made with infidels and idolaters, and that, therefore, it was not binding. But he begged to say for himself that he could be no party to any such principle as that. He thought that for this country to acquire territory under a fair treaty, which treaty involved certain obligations, and then to turn round and contend that these obligations were entered into with idolaters, and were, therefore, not binding upon us, would be alike unworthy of a Christian Government and a Christian people. He was happy to say, however, in answer to the first question of the hon. Baronet, namely, whether the connexion between the Queen's Government in Ceylon and the idolatry of any part of Her Majesty's subjects therein be or be not severed?—he believed he was justified in saying that all connexion really with the idolatry of the Buddhists had been long ago discontinued. As he had already observed, by the treaty entered into with the King of Kandy we had incurred certain obligations, and one of these obligations was, that we should take part in the Buddhist ceremonies, assist in the performance of their religious rites; and give them the offerings of the materials which were necessary for the performance of those rites. This practice had been long discontinued. It was finally put an end to, he believed, by Sir Robert Wilmot Horton, then Governor of Ceylon, in 1834. A sum of money—300*l.*—was agreed to be paid to the Buddhists in lieu of the contributions which had been formerly paid for the performance of the Buddhist rites; and from that period, he might say, our connexion with the idolatries practised in the island had ceased to exist. But there remained two other points in which we were connected with the Buddhists: one of these was the appointment of a portion of the priesthood; the other, the custody of the Buddhist relic, known by the name of "Buddha's tooth." He believed the attention of the noble Lord opposite (Lord John Russell) was directed to this part of the subject in 1840; and subsequently, when his noble Friend the Earl of Derby—then Lord Stanley—was at the Colonial Office, his attention was also called to the subject, and his noble Friend sent out instructions to the Governor of Ceylon, that this portion of our connexion with the Buddhist religion should be likewise discontinued. The answer to these instructions was not received until Earl Grey came into office; but it appeared that that noble Earl sent out instructions to Lord Torrington that the British Government in Ceylon should have no more connexion with the religion of Buddha, and that the custody of the "tooth" should be made over to the Buddhists themselves. Soon after, however, the rebellion broke out in Ceylon, and in consequence of the pressure of that rebellion the custody of the relic was resumed by the British authorities. Lord Torrington was obliged to revoke the steps he had taken, and Earl Grey sanctioned the continuance of that state of things until some other arrangements should have been made. This excited very great dissatisfaction among the Christian community in the island; and when he (Sir J. Pakington) took office in the spring of the present year, he at once endeavoured to put an end to that state of things. He had now to state generally, in answer to the questions of his hon. Friend, that after gravely considering the matter, he had prepared a despatch, which he should send to Ceylon by the next mail, conveying instructions to the Governor of the determination of Her Majesty's Government upon the subject. He must say, however, that he was astonished to find that there did not exist in the Colonial Office such full information as to the facts of the case as he should have expected to find there, and without which it was exceedingly difficult to issue instructions upon a subject of so complicated a nature with the decision and clearness he should have desired. The instructions which the Government were prepared to send out were these: that with regard to the tooth, its possession was to be transferred at once, and entirely, to the Buddhists themselves, the Governor being instructed to provide a safe place for its custody. The 300*l.* a year, agreed to be paid by Sir Robert Wilmot Horton, in lieu of the other contributions which were previously made, having, in his (Sir J. Pakington's) opinion, been withdrawn with very great injustice to the parties, he proposed to issue instructions that, as a compensation for its loss, the Governor should give the Buddhists an extent of land equivalent in value to 300*l.* a year, so that they should not be worse off in that respect than they were before. With regard to the third point, the instructions he proposed to send out were, that the Governor should request the Buddhists to provide for themselves the means of appointing the priests, who had hitherto been appointed by the Governor of Ceylon. At the present time they appointed a large portion of the priesthood, and he intended to call upon them to take measures for appointing the remainder as well. If difficulty were experienced on their part in so providing the means, he should then instruct the Governor to take into his own hands the provision of the means for making the appointments. Such was the course which the Government was anxious to take, in the hope of being able thereby to put an end to all these difficulties and without any breach of faith; but seeing the number of difficulties by which the question was surrounded, he proposed to leave a considerable discretion in the hands of the Governor.

Sir ROBERT H. INGLIS begged to ask if the right hon. Gentleman was prepared to lay the despatch which embodied his views upon the table of the House ?

Sir JOHN PAKINGTON said, he would have no objection to do so when the despatch was quite ready.

THE DERBY ELECTION.

Sir ALEXANDER COCKBURN said, he rose to bring under the notice of the House a petition from the borough of Derby, which he considered deserving the serious attention of the House. The petition set forth—

> "That at the last election for the borough of Derby, Michael Thomas Bass, Lawrence Heyworth, and Thomas Berry Horsfall, Esquires, were the candidates ; that at the said election an organised system of bribery was resorted to, and successfully carried out, for the purpose of procuring the return of one of the Members, and which did procure, the said return ; that the right hon. William Beresford, a Major in the Army, and a Member of the Most Hon. Privy Council, and Secretary at War, and now a Member of that hon. House, was a party to such bribery, and did himself send, or cause to be sent, to the said borough an agent for the purpose of carrying out the said scheme and system of bribery ; and the petitioners therefore prayed that the House would institute a full and searching inquiry into the whole of the case ; and they prayed this the more earnestly, that the right hon. Gentleman had openly and publicly declared that those who had been instrumental in bringing the bribery to light had been guilty of a foul and scandalous conspiracy, and had resorted, for the purpose of carrying that conspiracy into effect, to falsehood and subornation of perjury. Under these circumstances, the petitioners were most anxious that the inquiry should take place without loss of time, so that the truth might be made to appear manifest, and it might clearly be seen whether, on the one hand, they had been guilty of the foul and nefarious practices which had been ascribed to them, or whether, on the other hand, the right hon. Gentleman had been guilty of an infraction of the law, nearly affecting not only the interests of the borough with which they were connected, but of the people at large."

He had been requested to bring this petition under the notice of the House, and having consented to do so, he trusted that in discharging the difficult and distressing duty thus cast upon him, he should not give the right hon. Gentleman, whose name was brought in question, reason to complain of any want of candour, fairness, and moderation on his part, or of the absence of what was always due from one Gentleman to another, however they might happen to sit on opposite sides of the House. He would now proceed to state the facts of the case as they had been stated to him. At the last election for the borough of Derby, the Members who had represented the borough in the previous Session of Parliament, Messrs. Bass and Heyworth, were opposed to Mr. Thomas Berry Horsfall. Mr. Horsfall, it was stated, was a merchant and resident of Liverpool, and at that time a political stranger to the borough, but he had married into a family named Cox, several members of which were established and carrying on various occupations in Derby, and were consequently possessed of considerable influence in the borough. One of these gentlemen was a solicitor, and father to a Mr. Cox, in partnership with a Mr. Fountain as wine merchants; another Mr. Cox was at the head of large lead-works, and it might make a matter for future observation, that it was in the house of this Mr. Cox that Mr. Horsfall, during his election, took up his residence. Up to the last election, Derby had been considered quite a stronghold of the Liberal party; but just before that election rumours became rife that a different result was about to be effected by the introduction by the Conservative party of bribery money into the borough. Several of the more ardent and less prudent of the adherents of that party openly declared that money would not be wanting at the election, and this intimation turned out in the sequel not to be without foundation. While this was going on, information was conveyed to Mr. Moss, a solicitor at Derby, and who was acting as chairman of Messrs. Bass and Heyworth's committee, that bribery was in course of perpetration, and details of the bribery accompanying the information, precautions were at once taken to verify the fact. At the same time he was bound to say that the information thus received by Mr. Moss came from a tainted and suspicious source, and was only valuable in so far as it was verified by subsequent discoveries. He had better at once state to the House how this came to pass. There was an attorney of the name of Flewker, residing in Derby, who had been, at many former elections, an active agent on the Conservative side. It appeared that before the last election this Mr. Flewker had become discontented with that party in this way :—Having been at the general election (1847) an agent for the Conservative candidate, who was defeated, he had got up a petition against Messrs. Strutt and Gower, the successful candidates, had carried that petition to trial, had been successful, and had unseated those Members. In effecting this object, however, he did that which was the usual accompaniment of such proceedings—he incurred considerable expenses, and found himself at the close of the affair out of pocket to the extent of 700*l.* or 800*l.* He applied, naturally enough, to his political friends at Derby to reimburse him this amount, but he could get nothing from them but idle excuses, and, accordingly, nothin gmaking men so sore as the being kept out of their money, Flewker, when the last election came, peremptorily refused to act as the agent of the Conservative candidate, or to take any part in the contest. A correspondence ensued between Flewker and Mr. Lewis, the chairman of Mr. Horsfall's committee, which the latter subsequently wished to have printed in the local newspaper, the editor of which, however, refused to insert it, not wishing to publish anything that might lead to discussion among the party. Flewker continued in this state of mind until the eve of the election, when a person of the name of Radford, also an attorney, one of the most thoroughgoing partisans of the Conservative party, made a last effort with Flewker, and calling upon him, communicated to him the important secret that decisive arrangements had been made for securing the election by means of money, and that a stranger had arrived in the town who "was to do the trick." This stranger, he further stated, was at the County Tavern, and Flewker was requested to go to the County Tavern and see this stranger, and satisfy himself that the arrangements making by the stranger for executing the task he had to perform were such as were calculated to effect their object. Mr. Radford added, that as it would be otherwise difficult to obtain access to the stranger, he would give Flewker a card, which, on being shown to the stranger, would satisfy him that all was right, and at once secure Flewker's admission. On the card was the address—"Mr. T. Morgan, Chester." Flewker having at last consented to act, proceeded to the County Tavern, showed the card to the servant, and, after some demur, was ultimately admitted to the stranger, to whom also he showed the card. Some allusion was made to the stranger's (Morgan's) coming from Chester, to which he replied, "I don't come from Chester, I come from Shrewsbury; Mr. Frail sent me." Flewker, who had before had communications with Frail on election matters, asked Morgan if he had any letter from Frail? Morgan replied, "that he had no letter from Frail, but that he had a letter with him which Frail had given him to bring there." He then took out the letter, and showed it to Flewker, who, intimately acquainted with the handwriting of the Secretary at War, at once exclaimed, "Why, this is Major Beresford's writing, I know the writing perfectly well, and see it is signed W. B.!" Nothing further passed at that time between Messrs. Flewker and Morgan. Flewker went back to Radford, and said, "Why, this man does not come from Chester, he comes from Shrewsbury." To which Radford replied, "It's all right; and we've told him when the thing's done we'll give him 100*l.*" Morgan, in fact, had himself informed Flewker, at the interview which had just taken place, that this money was promised him. Radford next requested Flewker to take on himself a mission of considerable importance, and that was, to proceed next morning to Nottingham, to see there a man of the name of Hibbert, who had considerable weight in electioneering matters, and who had organised a considerable body of men, who acted under his command at elections, who looked to him for their pay, and would not acknowledge any other leader. There was at Derby an attorney of the name of Huish, who acted at the late election as agent for Mr. Horsfall, under the direction of Mr. Horsfall's confidential solicitor, of whom more would be said by-and-by. Huish and Radford had, a few days before, sent a person of the name of Simpson over to Nottingham, to an attorney of the name of Bowley, to secure the services of Hibbert. When Bowley discovered from Simpson's conversation what was going on, and what was about to be done at Derby, he thought it better not to mix himself up in the matter; and he had advised Huish himself to see Hibbert, and get him to come over to the Derby election. But, inasmuch as no answer had come from Hibbert up to the eve of the nomination day, and as it was remembered that some misunderstanding had taken place on a former occasion between Huish and Hibbert, and that Hibbert declared himself to have no reliance on Huish, Radford asked Flewker to go over to Nottingham, and make arrangements with Hibbert to accompany him back to Derby, and bring over his men. Flewker accordingly went over next morning to Nottingham, and saw Hibbert, who told him that he had received a letter from Huish, but that, had the thing rested with Huish, he should not have attended to his request, seeing that he had no confidence in Huish, but that, as he now had Radford's promise, he would come. He, however, was not able to get over until late in the day. Flewker while at Nottingham got into conversation with a Mr. Cox, to whom he told what was going on at Derby. Now, Cox, who was a great Liberal, hereupon made the best of his way to the town-clerk of Nottingham, from whom he procured an introduction to Mr. Moss, at Derby, the chairman of the Liberal committee, to whom he then proceeded with a statement of the information he had so collected. Flewker, on his return to Derby, went to inform Radford that he had brought Hibbert over with him. He found, on reaching Radford's house, that Radford was not at home, but at Messrs. Cox and Fountain's, the wine merchants. On arriving at Messrs. Cox and Fountain's, Flewker met Radford coming out of the house, in company with a Mr. Lunn, a cattle-dealer; Lunn separated from Radford, and then Flewker told Radford what had taken place. Radford next said there was a house opposite, the County Tavern, much frequented by people on the other side of the question, and which it was expedient to watch. Flewker hereupon proceeded to the County Tavern, and, on his way passed in the street the Mr. Lunn whom he had just before seen in company with Mr. Radford. Soon after he had reached the County Tavern, and was with Morgan in his room, Lunn came in and said he had a few words to say in private to Mr. Morgan. Flewker withdrew, and, upon returning to Morgan's room, was told by that person that Lunn was a friend of Radford's, and "had brought the needful." A conversation then took place as to their security from observation and detection in the room they occupied, and Morgan explained that the room had a double communication—one of which led, by a back staircase, into the stableyard—and, upon showing the double communication to Flewker, the latter person quite concurred that the place was safe. While Flewker was with Morgan there came in a person named Rice, familiarly known in the town as "Spring Rice," who brought a list of persons supposed to be not inaccessible to pecuniary considerations. Mr. Morgan, it appeared, had previously complained that two similar lists with which he had been furnished were not numerous enough—were not "winning lists"—whereupon Rice had said that these lists were not the right lists, and that he would procure a right list. He (Sir A. Cockburn) gave all these names and all these details that the right hon. Gentleman (Mr. Beresford) might have the full case before him, so as to enable him to confront Flewker with the other witnesses when the proper time arrived. So terminated the events of the evening of Wednesday, the nomination day. On the morning of Thursday Flewker went again to Morgan at the County Tavern, who asked him to go to Radford and tell him that he had not sent enough horsenails, adding that Radford would know what was meant, and that it was urgent more horsenails should be transmitted forthwith. The door of Morgan's room was guarded by a man, who allowed none to enter the room without giving a sign and password, the same being to place the forefinger of the right hand on the upper lip, and say, "It's all right, Radford sent me." On reaching Radford's house, Flewker was informed by the servant that Radford was not well, and had not yet got up; whereupon Flewker desired the servant to go up to Radford, and tell him that the man at the County Tavern wanted more horsenails, and must have them immediately. While he was giving this message to the servant, in came Mr. Cox, the attorney, father to Cox of the firm of Cox and Fountain, the wine merchants, who heard the message so given by Flewker, and himself desired the servant to take up a message from him to Radford, that he must see him without delay, and that he must get up immediately, so that he might see him. The servant brought down word to Flewker that the horsenails should be sent. About two hours after that, Flewker met Mr. Radford, who told him that it was all right, and that the money had been sent. All these circumstances were communicated by Flewker in the course of that morning to Mr. Cox, of Nottingham, who was no relation to the Cox's of Derby, and by Mr. Cox to Mr. Moss, the chairman of Messrs. Bass and Heyworth's committee. He was not there for a moment to defend the conduct of Flewker. He was betraying the confidence of his party, no doubt of it; and he (Sir A. Cockburn) was not there to deny or to disguise his motives—motives of which it was impossible to approve—vindictiveness and cupidity; for he had stipulated for money in the event of his evidence being made use of. But the House perfectly well knew that it often happened that crime was arrested and offenders were brought to justice by means of information given from motives of which it was impossible to approve. The evidence of an informer, a spy, or an accomplice was justly viewed with suspicion and distrust; but no prudent man would hesitate to avail himself of such information, in order to prevent the perpetration of crime, nor, if he were by such means put upon the track of guilt, would he disbelieve the evidence when he took the offender *flagrante delicto*. Having received that information, Mr. Moss, after communicating with Messrs. Bass and Heyworth, and receiving their sanction to the course of conduct he was about to pursue, called in the assistance of the police; and a police-sergeant, attended by two or three of his men, dressed in plain clothes, having been furnished with all the particulars and with the necessary signal and watchword, proceeded to the County Tavern. They made their way to the room to which they had been directed, and they found the door guarded by a man whe was a stranger to them. The man first put out his hand to prevent their going in, but, on making the signal and pronouncing the password, he opened the door and admitted them, not knowing that they were officers of police. They there found the man Morgan, whom they apprehended. They found upon him 265*l.* in gold, and 40*l.* in notes, and on the table before him was a book, in which were entered the names and numbers on the register of the voters, and against those names and numbers were figures indicating the sums received by the voters. They further found upon him a letter to which he must now call the attention of the House. It was in the following terms:—

> "A good and safe man, with judgment and quickness, is wanted immediately at Derby. I suppose that you cannot leave your own place; if not, send some one whom you can trust in your place. Let him go to Derby on receiving this, and find the County Tavern, in the centre of the town. Send this card to Cox, Brothers, and Co., Lead-works, as coming from Chester. That will be enough.—Yours, "W. B.
> "Monday."

The police also found upon him two cards similarly worded, with the address of "Mr. T. Morgan, Chester." The man, being apprehended, was taken away in custody, to be brought before the magistrate on the following morning. He made no secret of the business on which he had been engaged. Apprehended thus, with the proofs of his guilty purpose around him, he made no disguise about the matter, but admitted freely that the book contained the names of voters who had received sums of money from him. "After all," he said, "it was but a small affair;" and he spoke with considerable contempt of Derby, saying, "Derby is but a poor place, your voters are satisfied here with two or three pounds a-piece; in Shrewsbury a vote costs twenty times as much." One thing, he thought, must be perfectly clear upon this statement—namely, that the man Morgan had been at the time engaged in corrupting voters at Derby by means of bribes. That was a point on which he thought there could not be on the mind of any reasonable man the slightest shadow of doubt. Then came this far more important and far more painful question, "How far, upon the evidence of that letter, the right hon. Gentleman the Secretary at War was to be considered as having been accessory to the work of corruption?" That letter had been sworn to be in the handwriting of the right hon. Gentleman. It was found in an envelope addressed to Mr. John Frail, clerk of the course at Shrewsbury, which had on it the impress of the seal of the Carlton Club, which he thought went some way towards showing that it was a genuine letter. In addition to that, the right hon. Gentleman, having spoken out upon this subject, had never for a single moment, as far as he was aware, denied the genuineness of the letter; and, therefore, for the purpose of the present discussion, he assumed it to be the genuine handwriting of the right hon. Gentleman. If so, how far did that letter implicate the right hon. Gentleman in the proceedings at Derby? One thing could not fail to strike every person upon the most casual observation, and that was that the man went to the place where he was found committing the bribery by the direction and at the instance of the person to whom the letter was addressed. The second thing that struck one was, that the letter contained a series of directions, and it would be found that Morgan, the briber, complied with all the directions given by the right hon. Gentleman, even to the most minute particular. The letter directed that a man should be sent from Shrewsbury to Derby immediately upon its receipt. The letter was dated Monday, and he found that on the Tuesday morning Morgan was on the platform of the railway station at Shrewsbury, and that he proceeded by the first train to Derby as fast as the railway could carry him. The next direction was, that he should find the County Tavern, in the centre of the town. Upon Morgan's arrival at Derby he proceeded to the County Tavern. There he established himself, and the County Tavern became the scene of action where the bribery was actually carried on. He was next directed to send his card to Cox, Brothers, and Co., Leadworks. Upon this point he (Sir A. Cockburn) had the statement of the landlord of the inn, which had been given with considerable reluctance, for the man was a strong partisan, and was by no means willing to give information if he could avoid it. Nevertheless, he stated that no sooner had Morgan established himself at the inn than he handed to the landlord a card to be conveyed to Messrs. Cox, at the leadworks. That card was given by the landlord to the hostler, by whom it was conveyed to Messrs. Cox. Lastly, the letter directed that the card should bear the address of Chester, and upon the card (which he held in his hand), which was the card that Mr. Radford had given to Flewker, and which in all probability had been sent from Messrs. Cox, at the leadworks, to Mr. Radford—on that card was the address of Chester, whereas Morgan, in point of fact, lived at Shrewsbury. The House would perceive, therefore, that every one of the directions contained in the letter had been most minutely followed by Morgan. There was another thing which they could not fail to observe, which was, that it was quite impossible that letter should have been written by the right hon. Gentleman without previous concert with parties at Derby. The right hon. Gentleman could hardly be expected to know anything of a second or third-rate house at Derby, like the County Tavern, or to know that it had facilities for carrying on such work as this; but Mr. Radford was a great frequenter of the County Tavern; he spent most of his evenings there, and was on terms of familiar intimacy with the landlord. Again, it was idle to suppose that the writer of that letter would direct the man to send his card to Cox, of the leadworks, who was nearly connected with the sitting Member for Derby, without some previous concerted arrangement that, on the card being sent there, certain things were to be done. He next turned to the letter with the view of seeing whether it threw any light upon the object for which that man was to be sent from Shrewsbury to Derby, and for which all that machinery was to be set in action; and the first thing that struck him, on looking at it with the view of ascertaining the *animus* of the writer was to inquire for what legitimate purpose was a stranger to be sent all the way from Shrewsbury to Derby, a distance of seventy miles? If there were any legitimate purpose for the presence of "a safe man, with judgment and quickness," at Derby, was no such man to be found among the agents and friends of the Conservative cause at Derby or the neighbouring towns? Why was a man to be despatched all the way from Shrewsbury? The experience of many places where systematic bribery had been brought to light, must have made the House pretty well acquainted with the fact, that when wholesale and systematic corruption was to be carried on in a borough, a stranger was always selected to do it. The presence of a stranger excited less suspicion, and, if they could only succeed afterwards in cutting off the trail, detection became in most cases unlikely, and in very many impossible. Now, was any artifice resorted to for the purpose of cutting off the trail in this case? Here arose the most painful question, which one could not avoid asking, "Why was a false address assumed on that occasion?" For any legitimate purpose, they did not want any false address whatever, and a false address given by a person not a stranger would not do. But here there was both a stranger employed, and a false address given by that stranger. Supposing, for a moment, for the sake of the argument, that the person who was required must be a stranger, he need, if the object were legitimate, give no false address; but, if it were desired after the work was done to cut off all possibility of following him up, then a false address would answer the purpose. So here, he could not help asking for what legitimate purpose was this man directed to assume a false address? They all knew, however, that nothing was more common than for guilt to seek to shroud itself in secrecy, disguise, and falsehood. These, indeed, were its ordinary concomitants and its most unerring indications, and, therefore, he said that if the right hon. Gentleman had been subjected to unjust suspicions, he had brought it entirely upon himself. Now, looking at all this combination of circumstances, he would take the liberty of putting a case. He had himself assisted in the administration of justice. He saw around him hon. and learned Friends who belonged to the legal profession. There must be many hon. Gentlemen in that House who, in their respective districts, assisted in the administration of the Criminal Law; and to all of those he ventured to put this question: Take the case of a man apprehended *flagrante delicto* in the perpetration of crime, and upon him is found a letter which directed him to go to a place where that crime was in course of being committed, which directed him what he was to do when he got there, which directed him to put himself into communication with persons who might fairly be supposed to have an interest in the work he was about to do, and which further directed him to assume a disguise; then, if on a criminal trial the question were asked whether the person writing that letter were accessory to the crime, what would it be the duty of the Judge to say? It would be his duty to say that such conduct, unanswered and unexplained, was cogent and weighty evidence for the jury of the complicity of the writer with the guilt of the principal. Observe, he said only, if "unanswered and unexplained." Heaven forbid that he should say that this case did not admit of an answer or an explanation! All he said was, that it was a case which demanded inquiry. His long experience had inspired him with a deep conviction of however bad appearances might be, that a case which, *primâ facie*, appeared unanswerable, irresistible, and overwhelming, might yet, by the introduction of new facts, and by the admission of new light, be made to assume the complexion and character of innocence. He did not say that that was not the case here; but he did venture to say, and no man could gainsay it, that this was a case which required an answer, which called for an explanation, which demanded a sifting and searching inquiry, and that without such an inquiry neither the public mind out of doors nor that House could be satisfied. Here he should have left this case but that there were peculiar circumstances connected with it which would justify him in entering somewhat more into detail, and made it necessary for him to trespass on the attention of the House a little longer. The right hon. Gentleman (Mr. Beresford) had spoken out upon this subject, and had openly declared, at a meeting of his constituents, that all the facts which had thus been brought to light were the result of a base conspiracy, of artifice and fraud, and that the case against him had been sought to be supported by falsehood and perjury. He had heard also, in all quarters, and he believed it to be true, that the friends of the right hon. Gentleman had everywhere declared (whether with his authority or not he was not aware), that the letter found upon Morgan, albeit a genuine letter, was one which had reference, not to the election of 1852, but to some prior election; that it was written at a time when the right hon. Gentleman was not fettered with the responsibilities of office, and with which it would be unfair and ungenerous to seek to visit him now. If that hypothesis were true, he perfectly and cordially concurred in the inference to be drawn from it; if it were an old and stale transaction, it would be ungenerous and unworthy of the House to rake it up at this time. Having heard these things, when applied to on the part of the petitioners to bring the case before the House, he had felt it incumbent upon him to institute the best inquiry which the materials at his disposal enabled him to make, in order to satisfy his mind whether there was any foundation for saying that a conspiracy existed against the right hon. Gentleman, or that the letter in question had reference to some prior election. He had felt that to be incumbent upon him, not only from a sense of what was due to the right hon. Gentleman, but of what was due also to himself; because he said with most unfeigned sincerity that nothing would occasion him greater mortification or more lasting regret than to feel that he had been made, however innocently on his part, the instrument of a base and scandalous plot to bring an unfounded accusation against the right hon. Gentleman. He had found upon inquiry that the materials were not wanting to guide him in the investigation which he felt bound to make; for, naturally enough, the charge of conspiracy against those parties made by the right hon. Gentleman had put everybody in Derby upon their mettle. Mr. Flewker having been charged with suborning evidence, everybody was anxious to have additional light thrown upon the matter, and additional information was speedily at hand with the view of settling the question whether not that letter had reference to the last or to some prior election. He found the inquiry very much simplified by this. It appeared that the right hon. Gentleman had been in correspondence with Mr. Flewker on a former occasion, and he was very soon enabled to satisfy his mind that that letter could not by any possibility have reference to any election prior to 1848, for, in the first place, it appeared perfectly clear that the right hon. Gentleman had not in any way interfered in the election for Derby at the general election in 1847. Moreover, it was made perfectly clear to demonstration that Frail, who was called on to interfere by that letter, was a total stranger to the borough of Derby, as far as electioneering matters were concerned, until 1848. Messrs. Strutt and Gower having been returned at the general election of 1847, a petition was presented against that return on the meeting of Parliament, and the right hon. Gentleman appeared to have been applied to to give his assistance towards forwarding the object of that petition: and he found him writing to Mr. Flewker, November 21, 1847, in the following terms:—

"Ashbury-park.

"Dear Sir—I received your letter in London yesterday, just as I was starting. I should think it a good thing indeed to unseat Mr. Strutt for Derby; but I fear that I have not the means of accepting your proposal, as I have not funds at my disposal, just after the expenditure attending a general election, to pay the costs of the petition. If you get up a case, and a subscription for the purpose, I can promise a subscription of 100*l.*; but I cannot do more. I will speak to Colvile, if he is in town, when I get there on Tuesday.—Believe me, yours truly,

"Nov. 21." "W. BERESFORD.

So the matter rested until February 17, 1848, when the right hon. Gentleman wrote as follows:—

"Feb. 17.

"Dear Sir—I am very glad to hear so good an account as you give of the prospect of success in the Derby petition. I shall be glad to give you any assistance in my power when the case comes on.—Yours truly, "W. BERESFORD."

Now came an important letter. It seemed that the right hon. Gentleman, being unable to contribute more than 100*l.* towards the cost of the petition, thought he could render valuable assistance in another form, and that was by sending down Mr. Frail to assist in getting up the petition. He alluded to this to show that the letter found upon Morgan could not apply to any election prior to 1848, because until February, 1848, Frail was a stranger to Derby. The letter of February, 1848, was in the following terms:—

"Dear Sir—I have an agent who is skilled in all election matters, and understands every manner of scheme with regard to petitions. He will be in Derby next Monday, and will bring an introduction from me. You may trust him most implicitly, and you will get some very useful hints probably from him respecting your petition.—Yours truly, "WILLIAM BERESFORD.

"77, Pall Mall, Feb. 25."

Now, it was perfectly clear from this letter that it referred to a person who was a complete stranger at Derby. It adverted to the necessity of an introduction; it dealt with him as we deal with a stranger, for whose capacity and trustworthiness, in a matter of some moment, we felt ourselves called upon to vouch; and, accordingly, the letter did vouch for the individual in those respects. Now, who was that individual? The next letter showed. It was a letter of the same date as the last—the 25th of February—and was addressed to Mr. Flewker, to whom it was presented by Mr. Frail two days afterwards:—

"Dear Sir—The bearer, Mr. Frail, is the person I wrote to you about.—Yours, truly,

"W. BERESFORD."

He thought that these letters showed conclusively and beyond a doubt that up to the 25th of February, 1848, Frail was a total stranger in Derby, and had never previously intermeddled with the election affairs of that borough. The next letter was dated the 3rd of March, 1848. He begged the House to observe that he was now showing the relation which existed between Mr. Frail, of Shrewsbury, and Mr. Flewker, of Derby, and the leading agents and partisans of the Conservative party there. The letter was dated, as he had said, March 3, 1848, and was as follows:—

> "Dear Sir—I have endeavoured to see Mr. Colville, but I find he is in the country hunting, probably near Atherstone. I will speak to him whenever he comes up to town. I have seen Mr. Frail, who gives me a good account of the case that can be made out against the sitting Members. I have requested him to give you every assistance in his power, and attend to anything that the Derby party desire to be done. I shall be happy to assist you also when the Committee sits.'

What this meant he (Sir A. Cockburn) did not altogether know.

> "The great matter to be looked to is to collect funds and to keep the case quiet till it is brought before the Committee.—Yours, truly,
>
> "WILLIAM BERESFORD.
>
> "77, Pall Mall."

The next letter was from Mr. Frail himself, and was important, because it showed that he had now put himself upon a footing of intimacy with regard to the electioneering and political affairs of the borough of Derby. That letter was written from Carlisle. It appeared that an election was at that time going on in the ancient city of Carlisle. An election petition had been presented against the return of one of the hon. Members who had been returned at the general election of 1847. That petition was successful; and consequently another election became necessary in order to fill the vacant seat. Now, it appeared that Frail was sent down there, if not by the direction, at all events with the concurrence, of the right hon. Gentleman, for the purpose of lending his assistance in the election at Carlisle. He found him writing thus to Mr. Flewker:—

> "Carlisle, Saturday.
>
> "My dear Sir—I have only just received your letters this day. I am much engaged with the election; it will be over on Tuesday, and I hope to be in London on Wednesday. I have written to London for you; arrangements must be made for the lodgings of your witnesses, &c. This shall be attended to without delay. If you can get Andrews and Alexander do, if not, Byles."

Messrs. Andrews and Alexander were two very distinguished Members of the Parliamentary bar, and the other was Mr. Serjeant Byles, one of the most distinguished barristers in Westminster Hall, but probably better known to hon. Gentlemen opposite as the author of a work entitled *The Fallacies of Free Trade.* He (Sir A. Cockburn) was very sorry for his learned and esteemed Friend. He considered him, indeed, to be a very ill-used man, to have been induced to step aside from his ordinary avocations and indulge in profound lucubrations which had now been left high and dry, with nobody to read the book he had produced, unless it were the hon. and gallant Member for Lincoln (Colonel Sibthorp), for whose consistency on this subject no man had a greater respect than he (Sir A. Cockburn) had; and he would suggest that his learned Friend should dedicate the second edition of his work to that hon. and gallant Member, if it should ever reach a second edition. But there was one most significant part of the letter to come. It was signed at the bottom "John Frail," but above that were the words, "Yours, in great haste, very sincerely, William Nixson. —King's Arms Hotel—My best wishes to Mr. Hibbert or Thompson, not Johnson." This showed, he thought, very plainly, that Mr. Frail had gone under the name of Nixson at Carlisle, when he was attending to electioneering matters there; and there a postscript says, "My best wishes to Mr. Hibbert or Thompson, not Johnson." It was evident from the P.S. that this gentleman also had been undergoing a change in his patronymic, and that Mr. Flewker had written the disguise Johnson instead of Thompson, which Mr. Frail takes this opportunity of correcting. This would give hon. Members some insight into the way in which proceedings were conducted when a certain class of politicians were engaged in carrying on delicate matters connected with elections, or in getting up petitions against sitting Members. The next letter was of the same date as the last. It was from the right hon. Gentleman to Mr. Flewker. It evidently referred to Frail's stopping at Carlisle for the purposes of the election there, and was in these words:—

> "Dear Sir—Mr. Frail has been out of town on very important business for four or five days, and that is the reason why you have not heard from him. I do not think that he has got your letter. I think he will be able to get to Derby on Tuesday night or Wednesday morning, but not before. I have sent to speak to a gentleman from Derby, and will give him any direction I can that may be serviceable. I regret that Frail is out of town.—Yours, truly, "W. BERESFORD.
>
> "Saturday, —— (1848.)"

Now, this correspondence appeared to establish the position for which he had used it, namely, to prove that the right hon. Gentleman having had nothing whatever to do with the election at Derby in 1847, and that Frail having been a total stranger there until 1848, it was quite impossible that the letter in question could have reference to the Derby election of 1847. But there was a subsequent election in 1848, and he was ready to admit, that looking to the position of the right hon. Gentleman, and looking to the footing on which Mr. Frail stood with regard to election matters, it was quite possible, nay probable, that the right hon. Gentleman might have been referred to furnish "a safe and discreet man" for that election, and might have had recourse to Frail as one whose emissaries and agents would be readily accepted in the borough as coming from a person in whom the party had confidence. Well, did the letter in question refer to that election? The petition of 1847 having, as he had said, succeeded in unseating one of the sitting Members, a new election took place for the purpose of filling the vacant seat. The writ was issued on Thursday, the 24th of August, and the election took place on Friday and Saturday, the 1st and 2nd of September. Now, did the letter apply to that election? The way to test that was to look at the letter, and see whether the circumstances to which it referred quadrated with the circumstances of the election in 1848, and not with the circumstances of the election in 1852, or whether they quadrated with the circumstances of the election in 1852, and not with the circumstances of the election in 1848. In the first place, it would be observed that the letter was addressed to Frail, who was asked immediately to send over a man to Derby, and this request was made upon the assumption that Frail was so much occupied at home that he would be unable to leave his "own place." The first question he had to ask was, what were the occupations of Frail? And, second, what could be the occupation requiring his presence at Shrewsbury which could be within the knowledge of a party who addressed him from London? Now, the fact was, that Frail was a man who was in no business at all. He was originally a hairdresser, but had retired from business many years ago. He was now attached to two pursuits, and two pursuits exclusively—horseracing and electioneering. He was a person who was very much on the turf. He did not mention this with the view of casting any disrespect on Mr. Frail, but merely as a matter of fact. The House would observe that he was addressed as "the clerk of the course at Shrewsbury." Now, was anything going on in September, 1848, at Shrewsbury, or its vicinity, in the shape of horseracing, or other turf engagements, which would confine Frail to his "own place?" Nothing of the kind. The Shrewsbury race took place in the spring and in November. There were, therefore, no races at Shrewsbury at that time. Well, was there any electioneering going on? None whatever. Both the seats at Shrewsbury were full, and there was no election going on, either there or in the neighbourhood, which could render the presence of Frail necessary in Shrewsbury. But the best proof of all that there was nothing to detain him at Shrewsbury was the fact that he did go to Derby at that time. It so happened that that was the time of the Derby races, and Frail, it seemed, made his appearance there in a jockey costume. He was seen there in that dress. He called upon Flewker, and stated that he had taken an interest in the unseating of the sitting Members, and that he was desirous that the Conservative candidate should be successful; and he wished to know if he could be of any use; but he was informed by Flewker that his services were not wanted, as there was no money passing. Whether this was owing to the fact that his (Sir A. Cockburn's) hon. and learned Friend the Member for Falmouth (Mr. Freshfield), being then one of the Conservative candidates, had a strong aversion, as he (Sir A. Cockburn) was sure he would have a strong aversion, to all kinds and degrees of corruption, or whether it was owing to the fact that there were two Conservative candidates in the field when only one of them had the slightest chance of success, he knew not; but at any rate Mr. Frail was informed that on this occasion there was no money stirring, and he withdrew, no doubt to his own great disgust. But now he would turn to the election of 1852; and he would ask, was there anything in 1852 to keep Mr. Frail at home? Unquestionably there was. There was a contested election at Shrewsbury at the same time as at Derby; and, not only was there a contested election, but an election under peculiar circumstances, which required the presence of an active man like Mr. Frail, who had been the life and soul of the elections there for a series of years, in a more than ordinary degree. The contest, it appeared, sprang up at the last moment. The election was to take place on Tuesday and Wednesday, while the election at Derby was to take place on the Wednesday and Thursday. The contest at Shrewsbury, he believed, had sprung up on the previous Friday, so that all was bustle and turmoil there. Frail was, therefore, necessarily confined to his own place by the election proceedings then going on. The right hon. Gentleman was quite right, then, in supposing thot Frail was on that occasion unable to "leave his own place." But that was not all. There was another circumstance which appeared very significant. The writer of the letter directed that a man should be sent from Shrewsbury to Derby "immediately" on its receipt. Now, this letter was written on Monday, and on Tuesday morning Morgan was seen to start for Derby. How did this agree with the circumstances of the election in 1848? The election in 1848, he begged the House to observe, did not take place on a Wednesday and Thursday, but on a Friday and Saturday; so that there was not the same necessity for an immediate and hurried departure as if it had been earlier in the week. And, accordingly, instead of going immediately to Derby, Frail did not make his appearance there until Thursday, the day of the races. It thus appeared that all the circumstances of the election in 1852 quadrated with the exigencies of the letter, whereas with the circumstances of the election in 1848 they did not at all quadrate. Besides, it was plain that if the letter was written with reference to the election in 1848, it could not possibly be made to apply to the election in 1852, except by means of some great, villanous, and abominable conspiracy. He asked the House, then, whether they could discover the remotest trace of a conspiracy or plot in the matter, or whether all the proofs he had adduced did not point in the opposite direction? In the first place, he would ask, if there was a conspiracy, who were the conspirators? No doubt he should be told that Flewker was a person capable both of hatching and concocting a plot of this kind, and of carrying it into execution. He (Sir A. Cockburn) was not there to defend or palliate in any degree the conduct of Flewker; but let every man have his due. It appeared to him that there was a great difference in point of turpitude and atrocity between a man who, having become possessed of a guilty secret, reveals it—however dishonourable his conduct in that respect may be—and the conduct of a man who should have the wickedness and inconceivable audacity to frame and concoct a scheme of fraud and villany for the purpose of making the innocent appear to be guilty, and entailing upon them the consequences thereof. But he (Sir A. Cockburn) would assume that Flewker was a man capable in point of immorality and boldness in conceiving such a plot. It would be remembered, however, that one man did not make a conspiracy; because, although one man might conceive a scheme of this kind, it required the co-operation of other men to carry it into effect. Besides, he begged to ask, even if they gave Flewker the credit of being able and willing to conceive such a scheme, what could be his motives for seeking to injure the right hon. Gentleman? The right hon. Gentleman had made him no promise. He told him fairly that he could contribute no more than 100*l.* towards his subscription; and, having paid that, Flewker had no further claim upon him, and had never pretended that he had the slightest shadow of a claim against him. But he would assume, for the moment, that in his desire to do injury to the party, Flewker forgot that he had no ground of dislike to the right hon. Gentleman personally, but that, in consequence of the high position of the right hon. Gentleman as a Minister of the Crown, he was willing to include him in such a charge. The House, on the other hand, however, should consider the position in which Flewker had placed himself. He did not rest his statements on his own testimony; he vouched for a number of persons in support of them; he vouched for a number of the partisans, agents, and friends of the Conservative candidate; he vouched in particular for Frail and Morgan. Could it be supposed that Flewker would shut his eyes to the fact that detection, exposure, disgrace, and punishment would be the inevitable consequences of such a plot? He begged the House to considor this, too:—Here was a man whose irritation had arisen from the circumstance that he had lost 700*l.* Could they believe that he would intrust a stranger like Morgan with a sum of 400*l.*, with which he might start immediately, and whom he could never call to account for it without the perfect certainty of the exposure which must follow? But he should assume that Flewker was capable of conceiving the villany, that he was willing to execute it, and that he was dead to all prudential considerations in its pursuit. Still, as he had already said, one man alone could not have carried the scheme into execution. He must have had confederates. Who were they? He was afraid that if the idea of a conspiracy was entertained, his hon. Friend the sitting Member (Mr. Bass), and his late colleague (Mr. Heyworth) must be included in it, as well as Mr. Moss, the chairman of their committee, a gentleman who had been for the second time chosen to fill the honourable office of chief magistrate of the borough. All of these must in that case be considered conspirators, because they had all availed themselves of the information obtained from Mr. Flewker, and acted upon it. But he should not stop to vindicate the character of those gentlemen from that aspersion. His hon. Friend's (Mr. Bass's) character spoke for itself. But, even making them a present of the supposition—so far as concerned those gentlemen—that was not all, because, in order to establish a conspiracy, it would be necessary to include the whole body, or at least a large number of the agents and partisans of the Conservative candidate. And here he would beg to ask a simple but pertinent question. If it was a conspiracy, how came the letter in question into the hands of Morgan? The letter was addressed to Mr. Frail, and yet it found its way into the hands of Morgan. On what rational hypothesis could this be accounted for, unless upon the natural supposition that it had been given by Frail to Morgan, in order to go to Derby and do the required work? He knew it had been said that the letter was given by Frail to Flewker, and that it had been placed by Flewker in the hands of Morgan in order to establish the present case. In his (Sir A. Cockburn's) opinion, nothing could be more improbable; and, to set the matter entirely at rest, he craved the attention of the House to the following circumstances. He thought he could make it clear to the mind of every one that the letter must have been delivered to Morgan at Shrewsbury, and not at Derby. On the back of the letter he found in pencil a few words in a handwriting the same as the entries in Morgan's book, and which there was no doubt was Morgan's handwriting. These words were "Stafford, Lichfield, Burton-on-Trent, Derby." Now, these were places at which a man travelling from Shrewsbury to Derby would have to change carriages. There was no direct communication between Shrewsbury and Derby, and a person travelling between the two places must avail himself of several railways. A stranger going for the first time, therefore, from Shrewsbury to Derby would naturally be expected to ask for information as to the mode in which he could best travel, and particularly as to the places at which he would have to change carriages; and that, having obtained that information, he would write it on the back of the document which he intended to take with him to Derby. Accordingly, he (Sir A. Cockburn) found that Stafford was the first place where a person travelling from Shrewsbury to Derby would have to change carriages; Lichfield, the second; Burton-on-Trent, the third; and then came Derby. Had the letter been delivered to Morgan after he had arrived at Derby, he would not, in the first place, have needed to ask any information with respect to the change of carriages; and, in the second place, if he had, the names of the stations would have been placed exactly in the reverse order in which they were found in the document, not from Shrewsbury to Derby, but from Derby to Shrewsbury. He thought that this fact—in his opinion no small one—was a very significant one, as showing satisfactorily to every impartial mind that the letter must have been delivered to Morgan at Shrewsbury, and not at Derby. If, then, the letter was delivered by Frail to Morgan, and if the allegation of a conspiracy was still to be maintained, what was the consequence? If was impossible to conceive a conspiracy such as had been suggested except with the concurrence of Frail. Now, Frail was a man of whose electioneering morality, no man, perhaps, could entertain a worse opinion than he (Sir A. Cockburn) did. He believed him to be a man who was familiar with every scheme, artifice, and device which could be practised for working out corruption at elections. But, at the same time, nothing could be so abhorrent to his mind as for a single moment to distrust the perfect fidelity of Frail to the party for whom he had so long acted. No man knew better whether Frail was to be trusted than the right hon. Gentleman. From the election of 1847, throughout all the elections that had since taken place, and the petitions consequent upon those elections, Frail was the confidential agent of the right hon. Gentleman in the exercise of those delicate and mysterious functions which were necessary, he (Sir A. Cockburn) supposed, in the superintending and managing of the election interests of a party. And the right hon. Gentleman had declared that Frail was a person in whom the most implicit confidence might be placed. The right hon. Gentleman not only knew that Frail had been engaged in all the elections that had taken place in Shrewsbury for some ten or fifteen years past, but he knew he had been employed in the same way in various other parts of the country. He knew, therefore, that Frail was a person whose fidelity and zeal to his party had never been excelled. He (Sir A. Cockburn) might appeal to many hon. Members to confirm the statement. He was very sorry that the right hon. Gentleman the Chancellor of the Exchequer was not present, and still more sorry for the cause of his absence, for he intended to have called him into court, and asked him to vouch for the perfect trustworthiness and zeal of Mr. Frail. He (Sir A. Cockburn) did not believe that, as regarded trustworthiness, fidelity, and zeal for his party, Mr. Frail's character would be in any danger of suffering. It might be asked why Frail had given the letter to Morgan at all? Why, the contest for Shrewsbury was one which required all the activity and energy of Mr. Frail, and he, having received the letter on the Monday evening, or early on the Tuesday morning, and having to send some one to Derby immediately, was it not probable that, being so hurried, instead of writing to himself, he said to him, "Take that; you have only to show that letter to the agents at Derby, and they will perfectly understand who you are, what you come for, and what you are to do?" He had done with Mr. Frail, and he now came to Mr. Morgan. Could it be suggested that Morgan was in this conspiracy? Who was Morgan? Why, he was informed that Morgan was Mr. Frail's confidential man in all Frail's electioneering transactions. It appeared that Mr. Frail managed the registration not only for the borough of Shrewsbury, but also for a portion of the county, and that he employed Morgan, who was a valuer, to serve the requisite notices. Morgan was also a man who might be called as a witness in the registration court, when it was expedient to raise or to lower the value of property above or below 10*l.* Morgan was a man who was perfectly well known at Shrewsbury to be devoted to Frail. Was it likely that this man, if he had been selected by Flewker, would have lent himself to his betrayal? Even supposing they could believe this of Frail and of Morgan, they had other difficulties to encounter, because, no sooner did Morgan arrive at Derby, than he was taken up by the agents and friends of Mr. Horsfall. According to the statement of the landlord of the County Tavern, he sent his card to Messrs. Cox, who could not desire to betray the relative and candidate whom they had induced to come forward on that occasion. If the letter had been written with reference to a former election, it must still have been written after previous concert with Messrs. Cox. If the concerted arrangement was not in 1852, but in 1848, would not the suspicions of those gentlemen have been roused when they received that card? But what did they do? They handed over the card to Mr. Radford to act upon it; and here the importance of the connexion between the candidate and Messrs. Cox became manifest. If that card was part of the machinery of a conspiracy, they would have had their suspicions aroused, and would have frustrated the scheme at its very commencement. He next turned to Mr. Radford. He was quite sure it would not be denied that Mr. Radford was one of the most stanch and zealous partisans of the Conservative party in Derby, and the landlord stated that the moment Mr. Radford was made aware that Morgan had arrived at Derby, he (Mr. Radford) at once proceeded to the County Tavern, and had an interview with him. He (Sir A. Cockburn) thought it could hardly be supposed that Radford was in the conspiracy. They then found that Mr. Hibbert and his men went over from Nottingham, and a stranger was found guarding the door when the police entered and arrested Morgan. Who was this stranger? One of the men who came over with Mr. Hibbert from Nottingham by the desire of Messrs. Huish and Radford, the undisputed agents of the candidate. So that they had Mr. Frail, Mr. Morgan, Messrs. Cox, Mr. Radford, and this stranger, all implicated in the transaction, and independent of any matter resting on the testimony of Mr. Flewker—because he (Sir A. Cockburn) did not trust the evidence of Mr. Flewker at all, except so far as it was corroborated and confirmed by facts and occurrences, in which the parties might be confronted with Mr. Flewker, to his discomfiture and shame, if in their evidence they proved them to be untrue. He would now apply a test which, to his mind, must be quite conclusive. He was quite sure there was not an hon. Member on either side of the House who would not agree with him that the test he was about to propose would be most efficient. Now, if there had been a conspiracy — if all those circumstances which had been brought to light were fictitious and fabricated, the result of an organised system of fraud and villany—what did they suppose would have been the conduct of the responsible agents of the candidate, Mr. Horsfall, at the time Morgan was arrested, and when these transactions were exposed? Did they suppose that Mr. Horsfall's agents would have come forward to protect and defend this man? If this man, unauthorised and uninvited, had introduced himself, and assumed the garb and disguise of a party for the purpose of treacherously betraying them—if they were conscious of their own innocence and his infamous plan—would they not at once have denounced him as an impostor and conspirator with whom they had nothing to do—one whom they repudiated and held up to public odium and execration; or did hon. Gentlemen suppose that they would have come forward to throw the shield of their protection over him, and to defend him against the consequences of his crime? Now, what was the case? Morgan was arrested on the Thursday; he was taken to prison, and no one had access to or communication with him, nor did he communicate with any one until he was brought up the next day before the magistrates. Then a very important personage made his appearance in the court, Mr. Forshaw, a solicitor of Liverpool, who had accompanied Mr. Horsfall from Liverpool, and who acted as his confidential agent and adviser, and exercising general superintendence during the election. That gentleman was present in the hall when Morgan was brought up for examination, and there was also present another attorney of the name of Sale, who, as he (Sir A. Cockburn) was informed, had acted as a subordinate agent in the course of the election. Morgan was without any legal agent or adviser. Mr. Forshaw, who, as he had said, was in the hall, called Mr. Sale aside. They had a private conversation for a few minutes, and then Mr. Sale rushed from Mr. Forshaw up to the table and announced that he was the professional adviser of Morgan. When the magistrates intimated their intention of remanding Morgan, Mr. Sale said, "I hope, gentlemen, you will take bail. We are provided with bail to any amount." Now, did this tally with the possible suspicion of any conspiracy or plot which might have for its object the betrayal of the Conservative party? Well, the magistrates remanded Morgan for a week, and before he was again brought up, succours had arrived from a new quarter. No sooner were the facts he (Sir A. Cockburn) had mentioned made public, than the greatest consternation, naturally enough, arose in the minds of Mr. Frail and his Conservative friends at Shrewsbury. Their man was taken; he was in the hands of the enemy, and was about to be consigned to the clutches of the law. Accordingly two attorneys—one was not enough—were immediately despatched from Shrewsbury, one of whom was upon an intimate footing with Mr. Frail, and the other was clerk of the peace for Shrewsbury, to use their best efforts to defend Morgan, and to get him out of the difficulty; and when, notwithstanding the exertions of these gentlemen, the magistrates committed Morgan, but intimated their intention to take bail, two Shrewsbury innkeepers were ready to offer bail. These innkeepers, he was told, were both stanch friends of the Conservative party, and at the house of one of them the freemen were wont to congregate at elections, when a little delicate work was very speedily done. Now, he would put it to any reasonable man whether, upon such a state of facts, he could for a single moment entertain any belief in the existence of a conspiracy? If there had been any conspiracy, was it to be supposed that the agents of the Conservative candidate for Derby would have come forward to defend this man Morgan; or was it credible that the people of Shrewsbury, who were devoted partisans and adherents of that political party, would have given their aid to Morgan if they had known him to be an impostor, a conspirator, and a villain? And yet that was the only hypothesis upon which the facts which had been brought to light would not lead to the conclusion which was most naturally to be deduced from them. He (Sir A. Cockburn) had now gone through the details of this case, and he had done so for a twofold purpose: firstly, to justify himself, in order that it might be seen that he had not rashly or inconsiderately brought the case before the House; and, secondly, to put the right hon. Gentleman (Mr. Beresford) in possession of the whole case, both with regard to facts and argument, which could be brought forward against him. Unquestionably, if he (Sir A. Cockburn) had been conducting this case as an advocate at *Nisi Prius*, he would have rested upon the *primâ facie* case, waiting for the answer of the party charged, and reserving his reply, or evidence of additional facts which might be adduced; but he did not think in such a case as this that that would be a handsome or liberal proceeding. He thought it was much better to bring all the facts at once to the knowledge of the right hon. Gentleman—to mention the names of all the parties implicated in these transactions, that the fullest and amplest opportunity might be afforded for a refutation of the statements. Now what, under these circumstances, was the course which the House ought to pursue? He thought it was impossible to contend that an inquiry ought not to be instituted; and he was happy to say, that in that respect he was given to understand the right hon. Gentleman (Mr. Beresford) concurred with him. He was happy, also, to find that his hon. Friend the Member for South Devonshire (Sir J. Y. Buller) was of the same opinion. He was bound to do the right hon. Gentleman the justice of saying that, from the very commencement of these proceedings, he had demanded a full inquiry into the circumstances; and that, in the speech which the right hon. Gentleman addressed to his constituents at Braintree, on the 2nd of July last, he said this charge was the result of a conspiracy, and that nothing would deter him from insisting upon a full investigation. Indeed, the right hon. Gentleman had said, that unless some steps were taken by the parties who made the charges against him, he would himself, in his place in Parliament, move for an inquiry. Now, that was manly and straightforward conduct. He (Sir A. Cockburn) was aware it had been said that an inquiry would be premature, inasmuch as there was a judicial inquiry pending on the conduct of Morgan, and also an Election petition. These circumstances did not, however, in his mind, outweigh the necessity for a real inquiry. As to the judicial inquiry pending on the conduct of Morgan, it was a circumstance of every-day occurrence that, two parties being implicated in the same transaction, the principal was apprehended and tried at one place, and the accessory at another. Again, as regarded the Election petition, so far from the inquiry prejudicing the decision on that petition, it would rather be an advantage that the defendants should not be taken by surprise, but be in possession of the evidence they would have to meet. He entertained this opinion strongly, and he spoke feelingly, for really a man might almost doubt the reality of his own existence when he found with what charges he was, under such circumstances, assailed. He did not, therefore, think that any inconvenience would accrue to the person placed in the position of a defendant in the matter of the Election petition, if the inquiry which he now proposed should be instituted. He considered that if this were the case of a private individual, it might well be left to the ordinary tribunals, but when the person charged was a right hon. Gentleman, a Member of the Government, a Member of the Privy Council, and a Member, also, of that House, the case appeared to him to assume a very serious aspect, and one which it was neither beyond the province nor beneath the dignity of the House to investigate. He could not but think, therefore, that an inquiry ought to be instituted, and he hoped the House would be of the same opinion. As to the form in which that inquiry should be carried on, he was entirely in the hands of the House. He would suggest the appointment of a Select Committee for the purpose, but the mode of its constitution and selection he would leave entirely with the House. He believed they would be able to find hon. Gentlemen of impartial judgment who would conduct such an inquiry, and who would ascertain whether there had been an infraction of the law on the part of Gentlemen whose position—where the House was visiting poor voters with severe punishment—rendered it impossible that their misconduct could be overlooked.

SIR JOHN YARDE BULLER: When the hon. and learned Gentleman first brought forward this matter, he thought it was necessary inquiry should take place; and having listened to the statement which he had now made, he was fully convinced the House ought to agree to the proposition of the hon. and learned Gentleman to inquire into this case. He was quite satisfied no other course would satisfactorily clear up the charges which had been made, and therefore it became his duty to second the Motion of the hon. and learned Gentleman. As he made no opposition to the Motion on the part of his right hon. Friend (Mr. Beresford), and he knew that his right hon. Friend was most anxious the inquiry should take place, he could not anticipate any opposition from any portion of the House. But he was anxious that, with the full statement—and, he was bound to say, the fair statement—of the hon. and learned Gentleman, the case should go before the Committee unprejudiced and unprejudged. He meant unprejudiced by any exciting debate in that House. He should avoid anything of the kind himself. He should not make any comment on the statement of the hon. and learned Gentleman. He was perfectly content the case should go before the Committee on that statement, and he agreed with the hon. and learned Gentleman, that, be the Committee large or small, if well selected, there could be no doubt that they would calmly, and with the greatest care, sift the whole question, and help the House to come to a just decision. He should say no more on that occasion than that he begged to second the Motion of the hon. and learned Gentleman.

Motion made, and Question proposed—

> "That a Select Committee be appointed to take into consideration the matter of the Petition of Inhabitant Householders of the Borough of Derby [presented 22nd November], and to report thereupon to the House."

MR. STUART WORTLEY said, it was impossible to deny the extreme importance of the question now brought before the House, and as all appeared unanimous to have the matter investigated by a Committee, it would ill become him to offer any opposition to the Motion for inquiry moved by his hon. and learned Friend, and seconded by the hon. Baronet opposite. At the same time he was most anxious, from the importance of the question, to look at it, not merely as it affected the right hon. Gentleman accused, but as it affected the privileges of that House and the ends of justice, not to allow this proceeding to be taken without entering his protest against this being drawn into a precedent. The House would remember this petition was presented at the commencement of the Session, at a time when an election petition was pending which must necessarily come before Parliament. He believed for the last half century it had been the endeavour of that House and of every great statesman to remove from the jurisdiction of the whole united body of the House all matters relating to elections. With that purpose Mr. Grenville's Act was passed, and to improve it Sir Robert Peel introduced the existing Act of Parliament, removing from the general consideration of the House, where party feeling too much prevailed, all matters relating to elections, to the more impartial tribunal which a Select Committee under the Act was presumed to afford. This was a petition which, among other statements, contained an allegation that a general system of bribery was carried out at the late Derby election. That must be a question before the Committee, and if that system was proved to have existed, the election must be void. There certainly were some precedents on this subject, but none, that he was aware of, exactly similar to the present. A Committee on which he had the honour of serving had to inquire into the interference of a noble Peer in the election of Stamford, and in 1835 or 1836 there was a Committee to inquire into the conduct of Mr. O'Connell and Mr. Raphael with reference to the Carlow Election. In those instances, there was no election petition pending. In 1819, to refer to an older case, a Committee was appointed to inquire into the conduct of Mr. Gwyn, who was charged with having abused his power as Lord Lieutenant of the county of Limerick, in the election for that county, but no election petition was pending in that case. There was, however, a still older case, more nearly resembling the present. It occurred in 1806, when a Gentleman who had petitioned against the return of Mr. Sheridan accused him, by petition to the House, of tampering with witnesses. On that occasion a Committee was appointed, but there were a great many who objected to it, and certainly, looking back to the proceedings of that inquiry at the bar, it was not encouraging of the course they were now pursuing. The late Lord Grey, then Lord Howick, and a Minister of the Crown, if he mistook not, said—

> "Since the passing of the Grenville Bill the House had abstained from hearing at the bar evidence which might defeat the ends of justice before a Committee, and he trusted the House, in inquiring into the question of tampering with the witnesses, would shut out questions affecting the merits of the election."

The subsequent proceedings showed how difficult it was to prevent the entering on the whole matter of the petition. Another most distinguished person, the brother of the illustrious author of the Grenville Act, Mr. Thomas Grenville, said in the same debate—

> "A precedent might be established which might be attended with much inconvenience and much mischief hereafter. It was impossible to keep the two objects distinct, and no doubt, under the Grenville Act, the Committee would be competent to do justice in this case by making a special re-

> port. The House ought not to interfere with a jurisdiction so nearly identified with that which, by a solemn act, it had taken out of its own hands and delegated to a Committee."

In that case it was possible to distinguish between tampering with the witnesses and the allegations of the petition; but here it was impossible, because the gravamen of the charge, the most serious allegation of this petition, was, "that at the said election an organised system of bribery was resorted to, in defiance of the laws of the land, and to the great scandal of your petitioners." That was the case of his hon. and learned Friend—that the organisation existed at the prompting of the right hon. Gentleman (Mr. Beresford). If, then, this Committee should find the right hon. Gentleman guilty of this great offence, it would establish the fact of bribery at the election, and make the election void. Was that not prejudging the very question on the election petition; and ought not that very question to be referred to an Election Committee? His hon. and learned Friend (Sir A. Cockburn) said, the defendant to the election petition had the advantage of the whole case being disclosed in the charge against the right hon. Gentleman the Secretary at War. He (Mr. Wortley) said the House ought not to give any advantage to either party coming before it. But another thing well worth consideration was this—that if they established the precedent, they might have petitions of this nature got up for the mere purpose of gaining information, to be used afterwards on the trial of the election petitions, and that information extracted from witnesses not upon oath, and at the expense of the country. He had now done his duty in bringing the subject before the House, and he trusted, in consideration of the privileges of the House and of the ends of justice, they would reflect and pause before they at once agreed to the appointment of the Committee now asked for.

Mr. WALPOLE said, he would assuredly have opposed the Motion had he thought that the privileges of that House would be interfered with, or the rights of individual Members in the least degree infringed upon, by acceding to the appointment of the Committee, or had he thought that any constitutional right would be violated by the concession of that Committee. His right hon. and learned Friend who had just sat down ought to recollect that the power of that House to inquire into bribery and corruption at elections was independent of Statute Law; and that, notwithstanding Statute Law, they were invested with authority to make such inquiry as they should think fit for the purpose of putting a stop to all corrupt practices alleged to have been committed: and further, he should bear in mind that it was the duty of the House to entertain any charges which might be brought against any of its Members, and particularly against one who was a member of the Government. He did not give any opinion of these charges, but when they were brought in such a manner as to make it incumbent on the House to investigate them, the right hon. and learned Gentleman would, he thought, agree with him in holding, that certainly there would be no violation whatever of any constitutional privilege, either as regarded individual Members, or as regarded the House itself, in acceding to the Motion. If a sufficient case were made out for referring the matter to a Select Committee, he did not consider that any inconvenience would arise from such a course. It was impossible, after the statement of his hon. and learned Friend the Member for Southampton (Sir A. Cockburn), to deny that, supposing no inconvenience were to arise from the concession of a Committee, a case for inquiry had been *primâ facie* made out; and, as his right hon. Friend the Secretary at War, by the voice of his hon. Friend behind him (Sir J. Y. Buller), had courted an investigation like that which was asked for, it was due to his right hon. Friend to concede an inquiry) which under these circumstances he had a right to claim, with the view of setting himself right with the House. Further than that, he (Mr. Walpole) would not go. He would not prejudge the case in one way or another; but, with respect to the manner in which the proposed investigation might operate on the Election Petition, it should be remembered that, while, as regarded the sitting Member, there would be some inconvenience, yet the inquiry before the Select Committee ought not to bind the Election Committee in regard to the claims preferred before it. No doubt it was in some respects a choice of evils, but the lesser seemed on the whole to be that to which they were now asked to submit; for the inconvenience which might happen to the sitting Member could not be so great as that which would result from refusing this inquiry to his right hon. Friend the Secretary at War, since he, in point of fact, would be no party to any Election petition, and the inquiry before the Election Committee would not be under his direction or control, nor would his right hon. Friend have any mode of interfering to defend himself. He would say no more at present; for, as the matter stood, the discussion of it was much to be deprecated, as the House ought to keep its mind perfectly open and unbiased till the result of the inquiry should be reported. The only suggestion he (Mr. Walpole) should offer with reference to the appointment of the Committee was, that the nomination of Members to serve thereon should be left to the choice of the Committee of Selection.

Lord JOHN RUSSELL said, he was glad to find the right hon. Gentleman agreed in the appointment of this Committee, and that he did not submit the case on the argument of the right hon. and learned Gentleman (Mr. S. Wortley), who opposed the appointment of the Committee. It appeared to him (Lord John Russell) that the right hon. Gentleman opposite (Mr. Walpole) had taken a more constitutional view of this matter than the right hon. and learned Gentleman who preceded him. If any specific case of bribery could be alleged against a person holding the high office of Privy Councillor, and it was only to be inquired into by an Election Committee, he thought the Grenville Act would be a great evil, as barring the House from the performance of one of the greatest fuuctions it could perform, and which ought not to be set aside. With respect to the appointment of the Committee, any suggestion of the right hon. Gentleman (Mr. Walpole) ought to be attended to. It was only due to the right hon. Secretary at War, that if there was to be inquiry it should immediately begin, and be conducted to its close as soon as possible.

Mr. HORSFALL said, he quite agreed with the hon. and learned Gentleman (Sir A. Cockburn) that the sitting Member could not be injured by any clear statement of fact in that House, and he did not complain of any statement of fact, but he thought he had a right to complain of some statements which the hon. and learned Gentleman had made, and which were not facts. He acquitted the hon. and learned Gentleman of intentional misrepresentation; but when the hon. and learned Gentleman relied on one statement which related to him (Mr. Horsfall) as an important link, connecting the sitting Member for Derby with the transaction, and on another statement as making the impossibility of a conspiracy conclusive, he thought it only right he should endeavour to point out that the hon. and learned Gentleman's chain had a broken link in it, and that the conclusion he had drawn was by no means satisfactory. The hon. and learned Gentleman had relied on the fact that he (Mr. Horsfall) was staying with his excellent and worthy friend Mr. Henry Cox, as showing that he (the sitting Member) was a party to the transaction alluded to in the petition, because Mr. Henry Cox was one of the firm of Cox, Brothers, and Co. He begged to set the hon. and learned Gentleman right on that statement. Mr. Henry Cox was not a partner in the firm at all. The hon. and learned Gentleman adduced it as most conclusive against the possibility of conspiracy, that Mr. Forshaw, his (Mr. Horsfall's) solicitor, attended before the magistrates upon the examination of Morgan. Mr. Forshaw attended, not to defend Morgan, but simply at his (Mr. Horsfall's) request, to see that nothing was said or done which was prejudicial to him (Mr. Horsfall). Having said thus much, he did not mean to enter into the circumstances of a case which would so speedily come before a Committee; but this he must say, that highly as he valued a seat in that House, and still more highly as he valued that honour in connexion with the borough of Derby, he should consider it dearly bought if he could participate directly or indirectly in such proceedings as those which had been alluded to.

Sir CHARLES WOOD said, that as there seemed to be no objection to the appointment of a Committee, he would merely offer a suggestion as to the mode in which that Committee should be constituted. It had been said that this duty ought to devolve on the Committee of Selection; but he thought that it would be more properly discharged by those who were appointed under the Speaker's warrant at the General Committee of Elections. The Committee of Selection was quite a different body.

Mr. WALPOLE said, he begged to explain that he meant to have said the General Committee of Elections.

Sir CHARLES WOOD said, he was glad to find that the right hon. Gentleman was of that opinion, as there was the greatest necessity for the selection of impartial persons to form the Committee, and the best course would therefore be that they should be named by the General Committee of Elections. Probably it would be advisable, also, that the course should be taken in this case which was adopted at the Carlow Election Committee, namely, that two Members, the one representing the petitioners, and the other representing the right hon. Gentleman (Mr. Beresford), should serve on that Committee, but without voting, in order that the accusations on the one side, and the defence on the other, might be fairly and properly brought before the Committee. He should suggest, therefore, that the Committee should consist of five Members, that it should be appointed by the General Committee of Elections, and that two Members of the House should sit on it as assessors, but without the power of voting.

The ATTORNEY GENERAL said, he quite agreed with the right hon. Gentleman who had just sat down that it was desirable that the Committee should be appointed by the General Committee of Elections, and also that the number of the Members composing the Committee should be five. But he differed very much with him in the suggestion which he had made, following the precedent of the Carlow Election Committee, in 1836, that one Member should be chosen by his hon. and learned Friend (Sir A. Cockburn) on the one hand, and one by the right hon. Secretary at War on the other, for the purpose of acting as assessors to the Committee. He was quite sure that if Members were so selected, they would be precisely what the old nominees were, and that they would be advocates, and not assessors. [Sir C. WOOD: They are not to have votes.] That was precisely the ground of his objection. He wished they had votes, and then they would feel something of the responsibility of Judges. He must say that he did not think it at all a desirable thing that Members should act as advocates in a case where a very grave and serious charge had been brought against a right hon. Member of that House.

SIR ALEXANDER COCKBURN said, he must say, with every possible respect for his hon. and learned Friend the Attorney General, that if this inquiry was to be left to five Gentlemen, uninformed as they must be on the whole matter until they met in Committee, it would be better that the inquiry should not be commenced at all. His hon. and learned Friend said, that the representative Members would be advocates of the parties; why, they were intended to be advocates. Unless his hon. and learned Friend meant to say that the administration of justice was impeded by advocates, and that cross-examination had no efficacy, he did not see why this valuable instrument for the discovery of truth should be shut out. He thought that these two Members should have no voice in the deliberations of the Committee, but that they should be entitled to attend and put questions, unless it was intended that counsel should be heard before the Committee. This was an accusation met by a counter-accusation of a most outrageous and scandalous conspiracy. It was, therefore, necessary that the matter should be investigated with the greatest degree of vigour.

MR. STUART WORTLEY said, he would not take a division on the question, but he hoped that this peculiar case would not be drawn into a precedent.

SIR JOHN YARDE BULLER said, that his right hon. Friend (Mr. Beresford), who had withdrawn from the House, had left it to him (Sir J. Buller) to act for him in his absence, and, speaking for himself, he would say that he would rather hear counsel than a nominee Member.

The ATTORNEY GENERAL said, he had not the slightest objection to the appearance of counsel before the Committee, but he felt a very great objection to Members of the House appearing in that capacity.

LORD JOHN RUSSELL said, he should be glad to know what opinions the right hon. Gentleman the Secretary of State for the Home Department held on this point.

MR. WALPOLE said, he had no objection at all to the hearing of counsel by the Committee; on the contrary, he should rather prefer it, and he agreed with his hon. and learned Friend the Attorney General in thinking it very undesirable that Members of the House should act as representatives of the parties before Committees.

Motion *agreed to.*

Instruction to the Gentlemen named on the General Committee of Elections, to select a Committee of five Members, to whom the said Petition be referred, and who shall have power to send for persons, papers, and records, and that the parties have leave to appear by themselves, their Counsel, or Agents.

COURTS OF COMMON LAW (IRELAND) BILL.

Order for Second Reading read.

MR. WHITESIDE moved that this Bill be now read a Second Time.

MR. J. D. FITZGERALD begged to express his readiness to assist his hon. and learned Friend the Solicitor General for Ireland in making this Bill as beneficial as possible; but when he (Mr. Fitzgerald) informed the House that the Bill consisted of 276 sections, of which 144 were taken from the Common Law Procedure Act of last Session, and which not only consolidated but made many very serious amendments and additions to the law of Ireland, and that he had only received a copy of it that morning, he thought his hon. and learned Friend would not consider him unreasonable in requiring a little more time before he was fully prepared to assent to the whole of its provisions. He would read the preamble, which would give the House a tolerably clear idea of the very extensive nature of the alterations it was proposed to make by this Bill. It recited

> "Whereas it is expedient to simplify and amend the course of Procedure as to the Process, Practice, Pleadings, and Evidence in the Superior Courts of Common Law in Ireland, so as to make the same less dilatory and expensive, and to prevent substantial justice from being defeated by reason of the variety of forms of action, and the technicalities and prolixity of Pleadings, and the unnecessary length of Records, and to consolidate the provisions of several Statutes and Rules of Court relating to such proceedings, and also to enable the said Superior Courts of Common Law to give effect to certain legal rights and just defences without the expense and delay of a resort to a Court of Equity."

A Commission of Inquiry into the procedure of the common law in Ireland was appointed during the Viceroyalty of Earl de Grey, and the Commission made a Report in which various improvements were suggested. These suggestions were carried into effect by two Acts of Parliament; and in 1850 another Act passed, called "The Practice and Process Act," under which, and a code of rules framed under it by the Judges, the common law in Ireland was now administered; it did, therefore, appear to him strange that, so soon as the year 1852, another Act should be introduced which would make considerable alterations in the Act of 1850. The Bill now before the House made some new provisions in the law of Ireland, particularly with reference to commercial transactions. Now, it was well known that the commercial transactions of this country and of Ireland were much mixed up together, and he thought it unwise to legislate upon such subjects for one country and not for the other. Among other things, "it made choses of action" assignable, which by the Common Law they were not; but these would only be assignable in Ireland, and not in England. This he considered very objectionable, and such an alteration ought not to be made unless it were extended to England; for instance, policies of insurance would be thus made assignable in Ireland, and not in England, where nine-tenths of the policies effected in Ireland were entered into by English Assurance Companies. There was one serious omission in the Bill. The law in Ireland upon the subject of security by judgment was in a most unsatisfactory state. It had been altered year after year till no lawyer could venture to give an opinion upon any question relating to the law of judgment in that country. There were six conflicting Acts in Ireland upon the subject, and yet, although his hon. and learned Friend in his Bill had dealt somewhat largely with security by judgment, he had stopped short of treating the matter as a whole, so as to remove all difficulty for the future respecting it. Again, his hon. and learned Friend proposed to repeal several Acts, and it was stated in the repealing section that those Acts would be found enumerated in the Schedule; but he looked for the Schedule; it was not to be found in the Bill, so that he could not discover what were the Acts intended to be repealed. In these and in other respects the Bill admitted of considerable amendment, and he should be happy to give his assistance to effect that object; but, in order to be able to do so, he should require, that if the Bill were now read a second time, it should not go into Committee till after the recess, and that he should be permitted, on the third reading, to oppose any part of the Bill that he thought objectionable on principle. But the principal defect he found in the Bill was, that while it professed to be a consolidation and an amendment of the law, it was not in its provisions half so extensive as it ought to be. His hon. and learned Friend had proceeded to deal with one great principle that had recently been made the subject of much agitation, involving the question whether the distinction of Courts of Law and Courts of Equity should be suffered to exist. Now, he (Mr. Fitzgerald) did not at present profess to state what his own opinion was in regard to that question, and probably, too, his hon. and learned Friend might entertain some doubts upon it. But he (Mr. Fitzgerald) found in the Bill that the subject had been directly dealt with, and that the distinction between Law and Equity in one particular or two had been entirely swept away. Why, if the principle were adopted at all, should his hon. and learned Friend stop short and apply it only to a small evil? If this part of the measure be not well and duly considered, the consequence would be that the Bill, when passed into an Act, would meet with the same fate as other Acts passed heretofore had done, and that, perhaps, in the Session of 1854 his hon. and learned Friend would again come forward and propose some further Act to amend the law of the Session of 1852. As a lawyer, he confessed he did not know in what position they stood, the alterations having been so many within the last few years. It could not be denied, however, that Ireland had long preceded England in reform of the law. They had there County Courts and other popular improvements half a century before they were adopted in this country; and the reform of the Superior Courts of Common Law and Equity had been steadily progressing for the last twenty years. He was still anxious to see further improvements introduced there, and therefore should be willing to assist his hon. and learned Friend in extending this measure. His hon. and learned Friend was once a Protectionist in law, and had how become a Free-trader in law. To that he (Mr. Fitzgerald) did not object; neither did he ask him to insert in the preamble that this was "a wise, just, and beneficial measure;" but what he did ask him was, not to object to allow him (Mr. Fitzgerald) an opportunity to assist him in carrying out the Bill by agreeing to postpone the Committee till after the Christmas recess.

Mr. LOWE said, that having given a great deal of time and trouble on the subject of law reform, he felt bound to say that this Bill did the hon. and learned Gentleman the Solicitor General for Ireland a great deal of credit. In his eloquent and luminous speech he had laid down some excellent and sound principles; and altogether he considered the present measure to be one far in advance of that introduced last Session for the amendment of the law in this country. The hon. and learned Gentleman abolished all those absurd technicalities and monstrous falsehoods which had so long been the opprobrium of the law, and introduced a noble and just principle—that of making parties verify their pleadings, so that courts of justice should no longer decide as they now did, on merely technical and mendacious grounds, instead of on what was the real and true state of the case between the parties. The Bill also introduced another very valuable principle—namely, the assignment of debts and of *choses in action*. In these and in many other respects he considered the measure to be one very much in advance of that of last Session, and that it was a step very honourable to the legal ability and liberal views of the hon. and learned Gentleman. But, just in proportion as this Bill did credit to the hon. and learned Solicitor General for Ireland, so just in proportion was it a reflection on the measure of legislation of last Session which was passed for reforming the law of procedure in this country. The two measures for the reform of the law—that for England in the last Session, and that for Ireland this Session—were substantially identical; it was therefore not creditable to the House of Commons, nor to the state of the science of jurisprudence in this country, that on two subjects so completely identical there should emanate from the House measures so very different in their foundation; because, although he had heard it said that Ireland was in some respects ahead of this country, in law reform, still, the law of the two countries being in principle identical, that which was good and true for one country, must be good and true for the other country. But what was the fact? There had been a conference of legal persons of high legal standing to consider the propriety of bringing the law of the three kingdoms into a state of harmony, by doing away with difficulties and anomalies, so as to enable persons to carry on their transactions by one and the same rule and process. But what did the Bill now before the House effect? It actually tended to create further differences in the law; and, indeed, its very improvement over the measure of last Session, in that sense, would create greater difficulties than existed at present. The subject, therefore, was one which demanded considerable inquiry; and, though he did not mean to object to the second reading of the Bill, yet he thought it his duty to suggest a few matters for the consideration of the hon. and learned Gentleman. The main and principal point on which the hon. and learned Gentleman dwelt when he addressed the House with so much eloquence and ability on introducing his measure, was the absurdity of retaining those technical forms of action which existed in the courts, and which he so justly described as the remnants of an obsolete feudal system; and the hon. and learned Gentleman said that it was his intention to abolish those technical forms accordingly. But he (Mr. Lowe) regretted to say that that intention was not by this Bill entirely carried out, For, though it was stated in the preamble that it was expedient "to prevent substantial justice from being defeated by reason of the variety of forms of action, and the technicalities and prolixity of pleadings," yet, when he came to look at the section itself with respect to the forms of action, it ran in these terms: "The technical terms of action heretofore used shall not be necessary"—it did not say, "shall be abolished"—but it left them in a middle state, so that they might or might not be retained. Now, he contended that, if technical forms were good, they ought to remain, and if they were bad, they ought to be abolished. But, if hon. Members would go on a little further in the Bill, they would see that not only were these technical forms of action not abolished, but that they really remained as a vital and integral part of the law of procedure. For by the 6th section it was provided, that—

> "The right to recover any debt or damages or personal chattel, in respect of any matter of contract or of tort, or taking or detention, which might have been heretofore the subject of any action of debt, covenant, assumpsit, account, trespass, trespass on the case, trover, replevin, or detinue, shall and may be enforced in an action to be called a 'personal action;' and all actions of 'ejectment' shall henceforth be commenced and prosecuted in the manner hereinafter provided."

And then, by the 7th Clause, it was provided that—

> "The Court shall have and exercise, in and about any matter brought before it, in any such personal action or action of ejectment, under the provisions of this Act, the same jurisdiction, power, authority, and discretion, to all intents and purposes, as it could have exercised in an action for the same purpose instituted in the manner hereinbefore used."

Now, what did that mean? It meant this, that if a question arose as to the jurisdiction of the Court of Common Law in Ireland, or as to what this Act applied to, the only answer the Act itself gave was this, that the Courts of Common Law in Ireland had jurisdiction over, and that the Act applied to, matters which were now sued for in those particular technical forms of action which were specified in the Bill. So that the Bill, instead of relieving us from those technical forms, continued them, and the Irish lawyer would be just as much obliged to acquaint himself with all those forms of action of debt, account, assumpsit, covenant, detinue, trespass, trespass on the case, trover, or replevin, not only for the purpose of knowing what action he might bring, but in order to ascertain the jurisdiction of a Court of Common Law as opposed to a Court of Equity. So far, therefore, from the hon. and learned Gentleman having abolished those forms of action, the effect of this measure was to make them the foundation of his general form of action, and it was only by reference to them that it could be known what was the jurisdiction of the Common Law Courts at all. He (Mr. Lowe) agreed with the hon. and learned Gentleman that it was absolutely necessary that these forms should be swept away if they were to make any advance in the improvement of Common Law pleading; but, framed as the Bill was at present, those actions were made to constitute the very basis of the Common Law Courts themselves. The hon. and learned Gentleman had established by reasoning that the distinction between Common Law and Equity itself must be swept away. Very well; if that be so, let us adopt the principle; but don't attempt to sweep that distinction away by pretending to abolish those forms which constitute that very distinction, and yet by the same Act retain the forms, and thus uphold the foundation of the two descriptions of courts. If they once got rid of those technical forms, they would get rid of the distinction between Common Law and Equity. Therefore, if any man could make up his mind to go as far as this Bill went, he ought to go a great deal further. This was not merely theory on his part, for the hon. and learned Gentleman the Solicitor General for Ireland would recollect the introduction of the Bill for altering the Common Law in this country. The opinion of the Common Law Commission was, that these forms of action should be abolished, and a Bill was prepared for that purpose. But, when it was so prepared, it was perceived that not merely would they be getting rid of those technical forms of action *inter se*, but they would be getting rid of the difference between Common Law and Equity altogether. On perceiving this, the Committee who prepared the Bill considered that they would be unnecessarily destroying the landmarks between Common Law and Equity; they therefore withdrew the first Bill and introduced a second, and thereby retained the technical forms of action as before. Now, that was consistent. Those Gentlemen were not prepared to throw down the distinction between Common Law and Equity; they therefore fell back upon the common forms of action. But the hon. and learned Gentleman had gone further than that—he had abolished the forms of action; but he must not abolish those forms in one section, and bring them back again in another. He (Mr. Lowe) called the attention of the hon. and learned Gentleman more particularly to this matter, because he had made some laudable efforts to correct the law by giving the Courts of Common Law power to give relief in cases of lost bills and instruments, and also by allowing equitable defences to actions of ejectment. He had also given the Common Law Courts the power of setting aside inequitable legal defences, such as those founded on outstanding legal estates. He (Mr. Lowe) thought it could hardly be denied, that if that principle were good for anything, it was good for a great deal more than that. If the hon. and learned Gentleman set the distinction of Law and Equity aside in these matters, was it not by surprise or by mistake that he had not done so in matters of the highest importance? Either it was right to retain these forms of action, and to perpetuate his distinction of jurisdiction, or it was not. If not, then why do so in some few cases? But, if right to do so in respect to these, would it not be far better to do so in respect to all? Was it not monstrous that one set of courts should only recognise rights in the mortgagor, and another set of courts only in the mortgagee? That one should see no rights except in a trustee, and the other no rights except in the *cestuique* trust? That one should maintain, and the other should set aside transactions, on the very same facts? Surely, if the principle of giving to the Courts of Law equitable jurisdiction in some cases were good for anything, it was good for much more. He felt sure that the question could not rest here; and he ventured to hope that his hon. and learned Friend would be induced to see whether matters could not be carried further, and whether that great principle which had been advocated by Lord Mansfield, by Bentham, and by all the great lawyers who had given much attention to law reform, could not be accomplished, and the false and mischievous distinction between Law and Equity be for ever exploded. With regard to the alteration proposed in the form of procedure, he objected to the plan of making an abstract of the pleadings, as was proposed in this Bill, because, when parties had gone to the expense of pleading they had incurred enough cost, and the next best thing was to try the case, instead of which it was provided that an abstract of the pleadings should be made by the attorneys on both sides, if they could agree, and, if they could not agree, application was to be made to the Judge. This appeared to him to be objectionable, on the ground of expense. He perceived also a great omission in this Bill, with respect to the kind of judgment that might be pronounced in an action under its operation. In Equity a suitor, if successful, obtained such a decree as he asked for, or as the court thought just; but at Common Law the Court could only give a strict technical judgment. Now as the technical judgment followed the technical division of actions, now that the forms of action were abolished, he wished to know how the Court was to be directed in its judgment. He entreated the hon. and learned Gentleman to consider the few observations he had taken the liberty of making, and to endeavour to put the matters he had referred to on a more satisfactory footing.

Sir ALEXANDER COCKBURN said, he was very glad the hon. and learned Solicitor General for Ireland had brought in this measure, and he should regret much if the Bill should not be read a second time. At the same time he fully agreed with the hon. and learned Member (Mr. Fitzgerald), that it would be a great pity to prematurely hurry the Bill through Committee. He quite concurred in what had been just stated by the hon. and learned Member for Kidderminster (Mr. Lowe), namely, that the Bill now before the House was a great advance upon the English Common Law Procedure Bill of last Session, and thought he could point out the reason for this. The Common Law Commission recommended the abolition of the forms of action; but this important Amendment was abandoned, because certain judicial authorities were alarmed at the recommendation of the Commission going to such great length. We sometimes cut away the mast in order to save the ship, and, on that principle, it was found necessary to give up the proposed alteration. He very much regretted this, and now that the Government were prepared to go so far in the reform of the Irish Law, he trusted they would apply the same principle to the English Common Law. He willingly admitted that this Bill was an advance in other respects upon the Bill adopted in accordance with the Report of the Commission of which he had the honour of being a member. They had thought it necessary to deal with the incidents of an action in its various stages; but the Commission were not prepared to stop there, and their recommendations would form the subject of a Report which would shortly be laid before the House, and in which would be considered several most important matters, which formed no part of the Bill of the hon. and learned Gentleman. They would probably propose that Courts of Law should give the effect of a Bill of Discovery by the examination of parties to a suit; and that the Common Law Courts should have power of discovery without any expense, not according to the form of procedure in the Courts of Equity, but by a simple process of oral discovery, bringing up the parties and giving the Judge the power of immediately striking out the pleadings. So with regard to the power of persons who had only an equitable right maintaining a legal action; and alterations were also proposed in many other important respects. They proposed to introduce various Amendments, doing away with technical forms of action which had become obsolete and ought to be abolished. With regard to the jury system, it was worthy of consideration whether the plan adopted in the County Courts, which had worked so well, should not become a guide for the practice of the Superior Courts—namely, that of allowing parties, by consent, to deal with a question, either with or without a jury, as they liked. If parties consented to try their cause before a Judge in whom they both had confidence, they should not be compelled to have recourse to the more expensive and less satisfactory process of a jury. He believed that one of the reasons why County Courts worked so admirably was, that if any new matter turned up in the course of a case, the Judge, sitting from day to day in the discharge of his duties, was enabled to say, "Come before me again to-morrow;" whereas with a jury the case must be gone through from beginning to end without adjournment, and the only remedy was to obtain, at immense expense, a new trial. A variety of subjects of this kind were under consideration, and would receive the best attention of the Commission, whose anxious desire was to make the procedure in the Courts of Common Law as complete and satisfactory as it could be made. He quite agreed with what had been said in favour of doing away with the distinction between the jurisdiction of the Courts of Law and Equity, the reason for the existence of which was, that the Legislature had in all ages abused the lawyers, instead of amending the Law, and that the Law, consequently, grew so stubborn and inflexible, that Equity crept in as a clumsy substitute, and a mode of doing ultimate justice. The first thing, therefore, was to make Law and Equity one—to abolish all distinctions between Law and Equity, and, as the consequence, all distinctions in their jurisdiction. He hoped they were all agreed on the great question of law reform, and alike anxious to discharge their duty as regarded it to the public. As a member of the profession, he might say he believed that from one end of Westminster Hall to the other, the necessity for legal reform was admitted—an admission which, indeed, was, on the part of the profession, only an enlarged view of their own interest. They might depend upon it that the cumbrous rules and methods which it was proposed to abolish, only prevented parties, who otherwise would go into Court from asserting their rights, and, he was certain, did absolute injury to the profession as well as to the public.

Mr. CROWDER said, he was exceedingly happy to give his cordial vote in favour of the second reading of this Bill, and he begged to congratulate the hon. and learned Gentleman the Solicitor General for Ireland upon the able manner in which he had brought it forward. The Bill in many respects was undoubtedly an improvement on that passed during the last Session for the Amendment of Common Law Procedure in England. His (Mr. Crowder's) only difficulty was to understand how the Law Officers of the Crown thought fit to pass the measure of last Session without the introduction of those very Amendments to which the attention of the House was now being directed, because they had not been discovered since the passing of that Act, for they had been suggested by members of the legal profession, and had even been discussed in that House. He fully concurred at the time in every one of those suggested improvements; but, nevertheless, no notice was taken of them on the second reading of the English Bill; and when the measure passed through Committee, the consequence was that they had a measure applied to the Common Law Courts of this country, which was decidedly inferior to that introduced on the present occasion to regulate the Common Law Procedure in Ireland. With respect to the abolition of the forms of action, he fully approved of that Amendment. It was stated that the Common Law Commission in their Report recommended the abolition of those forms, but that part of their recommendations was, nevertheless, not carried out, owing, as it appeared, to the expressed opinions of certain high judicial personages. He apprehended, however, that it was the duty of that House not to be biased by any notices of that sort, provided they were fully persuaded that such improvements ought to take place. For himself he was fully persuaded that all forms of action should be abolished. He did not think it necessary to go into the matter as fully as the hon. and learned Member for Kidderminster (Mr. Lowe) had done; but he would say with regard to another of those improvements—the pleadings—he thought that also a matter of very great importance in the conduct of lawsuits. How stood the case with respect to that? Why, in the Common Law Procedure Act, passed last Session, there was the declaration, the plea, the rejoinder, the surrejoinder, &c.; but in the present measure he found that was not to be a declaration but a plaint, which he thought a great improvement. Why was not that improvement introduced into the English Act? He thought the House had a right to complain, when they saw the legal reforms of Ireland so much in advance of this country. He complained that not one of those improvements—for he thought they were all valuable improvements—had been introduced into the English Act. There was another point on which he wished to say one word. He remembered himself calling the attention of the hon. and learned Attorney General, when the English Bill was in Committee, to the clause relating to the payment of money into Court. That was limited to certain causes of action; but in the present Bill he found that was allowed in all causes—assaults, false imprisonment, libel, slander, malicious prosecutions, &c. The hon. and learned Solicitor General would probably recollect that he (Mr. Crowder) had pointed out that improvement for the English Bill, for he had expressed his approval of it at the time, but yet it had not been introduced into the Bill. He (Mr. Crowder) also approved of that clause of the present Bill which would enable assignees in "choses" of action to bring the action into Court, for he thought the law as it stood in that respect was a very idle distinction. He had made those observations in a friendly spirit towards the Law Officers of the Crown, both of England and Ireland; but he could not help repeating that it did appear to him very extraordinary that those very valuable improvements had not been introduced into the Common Law Procedure Bill for England; and it seemed to him still more remarkable that the Law Officers for Ireland, who had assisted in framing the English Bill, had not introduced those improvements into it. He still hoped, however, with his hon. and learned Friend the Member for Southampton (Sir A. Cockburn), that they would yet have those improvements in the English Law, and that the Law Officers of the Crown would introduce every species of reform consistent with the improved administration of the law, of which the present measure was such a favourable commencement.

The ATTORNEY GENERAL said, he was desirous of receiving in a friendly spirit the observations of the hon. and learned Gentleman (Mr. Crowder), and quite agreed with him that his hon. and learned Friend the Solicitor General for Ireland deserved the gratitude of the House, not only for this measure itself, but for the very able and clear manner in which he had introduced it. But the hon. and learned Gentleman (Mr. Crowder), in making some very serious reflections upon the Law Officers of the Crown in England, had forgotten the circumstances under which they had charge of the Bill of last Session, which was said to be so deficient in its amendment of the Common Law Procedure in England, and the utter impossibility of making those additions which were proposed at the time. The hon. and learned Gentleman apparently had forgotten the impatience with which the Opposition side of the House had listened to any attempt to introduce any new measures, attributing to the Ministry that they were endeavouring to prolong the Session unnecessarily, and to disappoint the expectations formed of an early dissolution. This Common Law Procedure Bill came down from the Lords at a very late period of the Session. His hon. and learned Friend suggested various alterations in it, but whether he (the Attorney General) agreed with them or not was perfectly immaterial; there appeared to be a great chance of losing the Bill altogether, and they were therefore obliged to hurry it through the House. He was thus not a free agent in the matter; he had no liberty of choice. It was important to pass the Bill even in an imperfect state, and he had trusted to future occasions to introduce improvements, to which it was impossible to attend at the time they were made. His hon. and learned Friend said the Bill for Ireland was in advance of that for England, and seemed to feel a certain shame that it should be so. He must consider this, that in Ireland they had the opportunity of looking from the limits to which we had arrived, and must remember that even a dwarf, when on a giant's shoulders, saw farther than the giant. The Irish lawyers had had the benefit of English experience. His hon. and learned Friend the Solicitor General for Ireland had, he confessed introduced great improvements beyond those they possessed in the English law; but the House must not believe for one moment that he (the Attorney General) was not quite prepared at the proper time to adopt any improvements that could be made in the Common Law Procedure Act. With regard to the forthcoming Report of the Commission, it would be necessary to consider very carefully the amendments suggested, and not to rush at once upon all those reforms which were recommended by those ardent reformers who were among its members. The discussion upon which they were at present engaged was a very desultory, although he hoped not an unprofitable one. The suggestions made as to the working of this Bill were not now well timed, because the House was not discussing the details; they were only considering the principle of the measure, and those hon. Gentlemen who agreed to the second reading would have ample opportunities in Committee of suggesting the valuable improvements which they had heard to-night. He trusted the House would forgive him if he had been drawn away from the question really before them. Let the Bill go to a second reading, and when it went into Committee hon. Gentlemen could then suggest any alterations or improvements they thought proper. He was sure they would all come to the consideration of the question in the same spirit—a desire to make it as perfect and good a Bill as possible.

Mr. COLLIER said, it was not his intention to go into the details of the measure before the House; he would only make a few observations upon its principle. He quite agreed with the hon. and learned Member for Liskeard (Mr. Crowder), that the present measure was a very great improvement on the Bill of last Session. He thought the hon. and learned Gentleman the Attorney General somewhat misunderstood the observations of his hon. and learned Friend the Member for Liskeard. He (Mr. Collier) did not understand that hon. and learned Member to cast any reflections on Her Majesty's Law Officers, but only complained that a similar measure, introduced for England, had fallen so very far short of that for Ireland. It seemed to him one great advantage of the measure then before the House was, that the form of pleadings, which we had tried a long time in our Courts of Common Law, had been found wanting, and had, in the present Bill, been thrown aside and a new system adopted. He also approved highly of the clauses of the Bill relating to County Courts, which had been eminently successful, and had afforded great satisfaction in this country. He also thought the clauses relating to equitable jurisdiction a great improvement; and he concurred in the remark of his hon. and learned Friend the Member for Kidderminster (Mr. Lowe), that those who had gone thus far in Law Reform must consider whether they would not have to go much farther. With respect to the fusion of Law and Equity, which some thought so desirable, he concurred with those who said that there should be no rational distinction between them — that Equity was merely an exerescence on our system, arising from the imperfections in our Law. But it was another question as regarded jurisdiction, or whether the two could not be amalgamated in one common tribunal. He could quite understand that it might be necessary to have different Courts for a division of labour; but an anomaly which he apprehended was most objectionable was this—to see two different tribunals adjudicating on one matter on different principles. The only satisfactory law reform was that which would provide that the jurisdiction of a Court should be an entire and perfect jurisdiction. As an example, he would put a case, suggested by the hon. and learned Member for Southampton (Sir A. Cockburn). Why was it that a Court of Common Law could award damages for the non-performance of a contract, but could not enforce the payment of those damages? Then, again, with regard to injunctions. He remembered a case, tried before the present Lord Chief Justice—it was the case of the convent at Clapham, where the priests kept ringing the bells to the great disturbance and annoyance of the neighbourhood. An action was brought against the priests, and damages were recovered; but it seemed a strange anomaly that though the Lord Chief Justice could give damages, he could not stop the bells, but they might go on ringing the bells for ever, subject only to as many actions as might be brought against them. Now, for the reasons he had given, it appeared to him that this Bill was framed in a very comprehensive spirit, and he hoped the alterations suggested would be made in Committee, and that even further progress would be speedily made in removing such other technicalities in our Law as are still left.

SIR DENHAM NORREYS said, the only question seemed to be one of complaint, that the Irish should have had so much better a Bill than the English. He believed the Gentlemen opposite were anxious to give them cheap law and good; but why were they still unwilling that the jurisdiction of the Assistant Barristers' Courts in Ireland should be assimilated to the County Courts in England, and their jnrisdiction extended from 40*l.* to 50*l.*? He could not conceive why they should object to what seemed so obvious an improvement of the law of Ireland.

MR. WHITESIDE said, he felt bound to make his acknowledgment of the very kind remarks made by various hon. Members on his Bill both in the House and out of the House. He also felt bound to say that he received the most important assistance in preparing that measure from several members of the English Bar. Mr. Willes had favoured him with many valuable suggestions, and his hon. and learned Friend the Attorney General had strongly approved of the principle of the Bill. He therefore felt that he did not deserve himself all the commendations which had been bestowed upon him respecting this measure. As to the principle alluded to by the hon. and learned Member for Kidderminster (Mr. Lowe), he (Mr. Whiteside) had no authority to warrant him in adopting it. He could not break down the distinctions between the Courts of Law and Equity. This Bill did not do that; but it removed a great number of obstructions; it facilitated the proceedings; it cheapened the proceedings; and it shortened the proceedings. His hon. and learned Friend the Member for Ennis (Mr. J. D. Fitzgerald) had taken several objections to the Bill; but as those objections turned principally on the difference which would prevail between the Common Law Procedure in this country and in Ireland, it was evident that they would hereafter be obviated, for it was the intention of the Law Officers of the Crown in England to adopt hereafter any good which they might find in the present measure. He rejoiced to hear that such improvements as those suggested by the hon. and learned Member for Southampton (Sir A. Cockburn) were to be made; and he agreed with the hon. and learned Gentleman the Attorney General that the more they considered those changes the better. This Bill had been indebted to many eminent law reformers for several of its improvements, and he thought it would be rendered still more valuable at the present period when so much landed property in Ireland was changing hands. He should say, in conclusion, that they had also made considerable advances in the Court of Chancery in Ireland, where upwards of 1,500 summonses had been disposed of by summary proceeding for small amounts by the present Lord Chancellor of Ireland.

MR. GEORGE said, he thought that the Common Law Procedure in this country and in Ireland ought to be completely assimilated, and he hoped that before the passing of the present Bill care would be taken to amend it in conformity with those improvements in the English system which it might be found desirable to adopt on the recommendation of the Commissioners, whose Report upon the subject would, it appeared, be published in a few days. There was nothing which could more effectually contribute to complete the union of the two countries than the perfect assimilation of their code of laws.

MR. PHILLIMORE said, he felt much gratified at the introduction of the Bill. He believed it was one of the most comprehensive measures of Law reform that had ever been introduced into that House; and he regretted sincerely that the English lawyers had allowed the lawyers of the sister country to get so completely the start of them by the proposal of so important and useful a Bill. It certainly was necessary that pleadings should be verified, but he entertained a strong objection to the multiplication of oaths, and trusted that some form of declaration would be adopted. He also thought that the form of issue should be submitted to some authorised officer, in order that it might be properly stated.

MR. NAPIER said, he wished to make an observation in reply to the suggestion which had been offered by the hon. Baronet the Member for Mallow (Sir D. Norreys). The hon. Baronet said he wished that the jurisdiction of the Assistant Barristers' Courts in Ireland should be extended in the same way in which the jurisdiction of the County Courts had of late years been extended in this country. Now he would remind the hon. Baronet that the present measure would afford the means of obtaining cheap and speedy justice, and would have the further advantage of rendering that justice attainable in the Superior Courts. The Bill would abolish those technical forms of action which had hitherto formed such great obstructions to the ready enforcement of the just rights of suitors, and it would, in fact, throw open the higher tribunals in Ireland to the great mass of those engaged in the prosecution of legal claims. He hoped that no feeling of jealousy would prevail, because the Irish Courts had, in the first instance, been made subject to those improvements, and he felt persuaded that every Gentleman in that House would use his best endeavours to give to the measure the utmost completeness and efficiency.

Mr. BUTT said, he perceived that in the Bill, as it had been printed, the Acts which the measure was to repeal were alleged to be enumerated in a Schedule; but that Schedule had somehow or other been omitted. He wished to know whether that omission would be supplied before the House was asked to go into Committee on the Bill?

Mr. WHITESIDE replied in the affirmative.

Bill read 2°, and *committed* for Monday next.

INCUMBERED ESTATES COURT (IRELAND).

Mr. MACARTNEY moved for certain returns connected with the operation of the Incumbered Estates Court in Ireland.

Lord NAAS said, he had no objection to the production of any information which could show how that Court had proceeded, but he thought that some of the details on which the hon. Gentleman sought to be enlightened were of a personal and invidious character, and he could not, therefore, assent to the Motion in the shape in which it stood.

Motion *withdrawn.*

WEST INDIA COLONIES, &c., LOANS ACT AMENDMENT BILL.

Order for Second Reading read.

Mr. F. PEEL said, he much doubted the propriety of anticipating the future resources of a colony like Jamaica. The aim of the Bill was quite obvious, and it applied to the removal of the Coolies as injurious, not beneficial, to the island.

Sir JOHN PAKINGTON said, that the Bill was intended more particularly to meet the special case of Jamaica, which colony, by the unfortunate financial circumstances into which it had fallen, had been unable to keep faith with these Coolies. It was considered that a Bill of this nature would be the most convenient method of supplying the deficiency, and he hoped that it would be allowed to pass through the House without unnecessary delay.

Bill read 2°.

The House adjourned at half after Nine o'clock.

HOUSE OF LORDS,

Tuesday, November 30, 1852.

Minutes.] *Took the Oaths.*—Several Lords.
Public Bills.—2ª Oaths in Chancery, &c.

THE NATIONAL SYSTEM OF EDUCATION (IRELAND)—PETITION.

The **Earl of CLARENDON** said, he had a petition to present from certain non-subscribing Presbyterian Ministers in Ireland—in the north as well as in the south, and in the urban as well as the agricultural districts, praying that the fundamental principle of the National System of Education in Ireland may be maintained inviolate. They stated that, in their opinion, any alteration of that system would destroy the confidence of their body in the Board, would impair the usefulness and vigour of the schools, and add fuel to the bitterness of parties in the country. His noble Friend (the Earl of Derby) was, perhaps, aware that in consequence of a speech which his noble Friend made last year, and also of a speech made by the Attorney General for Ireland at his election for the University of Dublin, some apprehension had arisen that a change in that system of education was meditated by Her Majesty's Government. He (the Earl of Clarendon) confessed he did not share in that apprehension; and in answer to numerous inquiries made to him on the subject, he had not hesitated to state his conviction that no danger was likely to accrue to the system with with which the noble Earl's name was so honourably connected, and of which he was the author; and, he believed, that if the noble Earl should think it his duty to institute an investigation into the subject, the result would be to show that the system was faithfully administered—that it worked well—that it was not only the best, but the only system which was adapted to the wants and feelings of the people of Ireland —and that no change could be effected without great difficulty and danger to the cause of education in that country. That opinion had, to a certain extent, been confirmed by the statement lately made by the noble Lord the Chief Secretary for Ireland (Lord Naas); and he (the Earl of Clarendon) was bound to say that the rev. gentleman who had forwarded the petition to him for presentation stated that the speech of the noble Lord had greatly mitigated the apprehensions of himself and other persons in Ireland, though they did not think it necessary on that account to withdraw their petition. He need hardly say that would be a great satisfaction to them, and to the friends and supporters of education in Ireland generally, to learn from the noble Earl at the head of the Government that no change in the national system of education in Ireland was contemplated by Her Majesty's Government.

The EARL of DERBY: My Lords, during the recess, my attention and that of my Colleagues in the Government, and more especially my noble Friend the Lord Lieutenant of Ireland, has been directed most anxiously to the question of national education in Ireland. My noble Friend the Lord Lieutenant of Ireland has felt it his duty to devote very great consideration to this question; and with every desire to remove, as far as possible, the feelings or the prejudices of those who are opposed to that system and who desire certain alterations in it, neither I nor my noble Friend at the head of the Government in Ireland can see our way to the introduction of any change which would have that effect without disturbing or materially altering the present system of education in that country. All I can say is, that I consider it would be a very great evil if we were seriously to disturb the existing system; and the Government, not seeing their way to make any alteration with the view to which I have alluded, have no intention of bringing forward any measure to effect what one party had in view, seeing that could not be effected without incurring evils which they would greatly deplore.

Petition read, and ordered to lie on the table.

The Earl of Clarendon

COMMERCIAL LEGISLATION—FREE TRADE.

The MARQUESS of CLANRICARDE rose to give notice, that on a future day he would move the adoption of Resolutions similar to those which had been lately adopted, not by an unanimous vote, but by a large majority of the House of Commons. He had expected that Resolutions similar to those adopted in the other House would have been proposed to their Lordships' House; and he purposely abstained yesterday from giving the notice he was now about to give. He had hoped, although it was but a feeble hope after what passed a week ago, that Her Majesty's Ministers might have thought it necessary to communicate those Resolutions to their Lordships' House, to renew them there, or to take some steps to move Resolutions of a similar nature on the subject. But as it did not appear now that any step had been taken on his (the Marquess of Clanricarde's) side of the House, he thought it was due to the House as well as to the great question to which the Resolutions of which he had spoken related, that the matter should be brought under their Lordships' deliberate opinion, and that their Lordships' judgment thereupon should be regularly, and he hoped permanently, recorded. Therefore, upon some day that might be most convenient to the House—he cared not what day it might be, for in that respect he was in the hands of the House—he should bring the subject under the consideration of their Lordships. If it was satisfactory to the House, and if it equally suited the convenience of the noble Lord opposite (the Earl of Derby), he should name Monday; if not, any other day that might be more agreeable.

The EARL of DERBY: I certainly think —considering the noble Marquess asked me a short time since whether it was the intention of Her Majesty's Government to propose any measure of importance, or to ask the opinion of the House on any important measure before Christmas, and that in consequence of the answer I gave to the House, which was in the negative, a very large number of noble Lords had left town—I certainly think, if the noble Marquess intends to bring forward this question, and to submit a Resolution to your Lordships' consideration, sufficient time should be given to those noble Lords who may desire to take part in that discussion to return to town, which

I think can hardly be before Monday week. It will be convenient for me to enter into a discussion on Monday next; and if the noble Marquess thinks it is necessary to raise a discussion, I cannot at all object to his bringing his Resolution forward on Monday next. But at the same time I must say I am quite ready, if the House thinks fit, to adopt such a Resolution as shall faithfully express the opinion of this House and the country with regard to the course of future policy; and I am not prepared to call on those noble Lords who, adhering to the present policy and determined fairly and candidly to carry it out, entertain still the opinion which they previously entertained with regard to the policy of the original measure—I am not prepared, I say, to call upon them to sanction a Resolution which shall express opinions with regard to the past not in accordance with their own views. But if the noble Marquess is satisfied with a Resolution—I am not now speaking of any particular form of words—which fairly adopts the recently established policy for the future, I am quite prepared to concur with him as to the form of words which should be introduced; and that they shall be as binding as the most cordial advocate of free trade can desire. I am quite prepared to concur with the noble Marquess and other noble Lords on the other side of the House in passing a Resolution which should be in terms something like these:—"That this House thankfully acknowledges the general prosperity of the country; and, recognising the evils of frequent changes in the financial system of the country, is prepared to accept and adhere to the commercial system recently established, with a view to its being fully maintained and carried into effect." I do not desire at this moment to bind myself or noble Lords to any particular words; but such a Resolution, I think, would entirely satisfy those who only desire to have a security for the future; and I confess I think it would be more satisfactory to your Lordships' House, and to the country generally, that such a Resolution should be come to by your Lordships, rather than have discussions, wranglings, and altercations with reference to particular terms or words, which I am bound to say I do not think reflect any very great credit on the proceedings of the Legislature. I submit to the consideration of the noble Marquess, whether, looking to the future policy of the country, and the feelings which have been excited on this subject, it would not be better to conciliate rather than to aggravate those feelings by the consideration of questions bearing on the past; whether such a course would not better suit his views and those of other noble Lords acting with him; and whether it would not be more conducive to the good feeling of this House that such a Resolution should be adopted, rather than that an Amendment should be moved of a character which would lead to a long and acrimonious discussion.

The MARQUESS of CLANRICARDE said, he was sure the noble Earl would not expect him at once to adopt the suggestion he had made, and which rather took him by surprise. He did not think that any opposition, or rather he should say hesitation, would have been shown by the noble Earl to adopt the words which he (the Marquess of Clanricarde) certainly thought were frankly, fairly, and voluntarily adopted by the noble Earl's colleagues in another place. He saw great inconvenience in a Resolution being adopted by this House different from that of the other House. He would not, however, enter on the subject now, nor would he express any decided opinion on the subject; but this he would say, with reference to something that fell from the noble Earl, that it should not be the fault of him (the Marquess of Clanricarde) if any wranglings, unpleasant altercations, or discussions arose in that House in discussing that question. He wished to bring forward the question wholly and solely on large principles, and in such a manner as he thought was due to this House and to so important a matter.

The EARL of DERBY: With regard to a Resolution in the other House of Parliament, the House will be aware that the Resolution which was adopted and sanctioned by a very large majority, was not a Resolution proposed by either side of the House, but one which was accepted as a compromise between extreme opinions, and which it was hoped would lead to a satisfactory adjustment. But as the noble Marquess wishes to take into consideration the suggestion I have thrown out, perhaps he will abstain from placing any notice on the books at present; and perhaps on Thursday he will say what course he intends to pursue. If he thinks it fit to persevere with his Motion, it will then be my duty to offer an Amendment; and he will then perhaps not have any objection to give some further notice—say from Thursday to that day week. But if on Thursday he will take the course which I think desirable, then it will not be necessary to summon noble Lords who are now absent, and who will find it inconvenient to attend on Monday.

The MARQUESS of CLANRICARDE: On Thursday, then, I will give the notice.

CLERGY RESERVES IN CANADA.

LORD WODEHOUSE asked the noble Earl the Under Secretary for the Colonies, whether there would be any objection to lay on the table of the House certain correspondence relating to the Clergy Reserves in Canada?

The EARL of DESART said, the correspondence was not yet ripe for discussion: but he confessed he had not clearly heard what the noble Lord asked, owing to the conversation going on in the House on the termination of the previous question. The correspondence that had taken place on the subject was very scanty, but such as it was, there was no objection to its production. He could assure the noble Lord that Her Majesty's Government were deeply impressed with the importance of this subject. It was now fully under the consideration of his right hon. Friend at the head of the Colonial Office, and he trusted that ere long some final settlement would be arrived at, which would be consonant with the just rights of all parties concerned.

OATHS IN CHANCERY BILL.

The LORD CHANCELLOR said, he rose simply to move the Second Reading of a Bill which he had had the honour to introduce to the House on a previous occasion. The purpose of it was to give a different name to Masters Extraordinary in Chancery, and to enable all solicitors within ten miles of London to act in the same way as Masters Extraordinary formerly acted. There was one provision in the Bill for the purpose of saving expense in taking evidence under deeds and wills. He wished to take that opportunity to correct a misapprehension which had gone abroad, that it was the intention of the Act to take away from the Masters Extraordinary the benefits which they previously had. No such intention appeared in the Bill; the object of it merely was to give them a name consonant with their occupation.

Bill read 2^a; and *committed.*

CORK CITY ELECTION.

The EARL of DONOUGHMORE presented a petition from inhabitants and owners of property within the Parliamentary boundary of the city of Cork, complaining of the manner in which the officers charged with the preservation of the peace in that city discharged their duty at the last election, and praying for relief. He had intended to accompany the presentation of the petition with some remarks of his own, but as there was a petition in reference to this election under consideration in the other House of Parliament, he should refrain from doing so. He might, however, observe that for two days, during the election, the city of Cork was in the possession of a lawless mob.

The EARL of BANDON said, he merely rose for the purpose of supporting the petition presented by the noble Earl, and to state that he could bear testimony to the disgraceful conduct represented in the petition.

LORD MONTEAGLE said, he observed that the petitioners prayed, amongst other things, that the House would devise some mode of protecting life and property during elections in Ireland. Without, however, questioning the allegations contained in the petition, he submitted that it would be disadvantageous in every way, if their Lordships' House were to raise discussions with respect to matters of that description, as they might thereby prejudice the impartial consideration of the election petition before the tribunals appointed to try their merits.

The EARL of DERBY: I do not think my noble Friend behind me is open to any censure on the part of the House, or of my noble Friend who has just sat down, for having in the performance of his duty, presented a petition, couched in most respectful terms, to this House, asking for the intervention of Parliament for the removal of that which, if it did exist at the last election, was undoubtedly a great evil; and stating facts connected with the locality from which the petition proceeded which were within the knowledge of the petitioners themselves, and on which they founded their prayer for some remedial measures. On the other hand, I concur with my noble Friend that a lengthened discussion, or an attempt to form a judgment with regard to the merits of a particular case, ought not to precede an inquiry, still less an attempt of the Legislature to pronounce an opinion upon a question of this kind, when an inquiry will, in all probability, take place before the proper legal and constitutional tribunal in another place. I entirely concur with my noble Friend that such a course would be both unwise and impolitic. If I correctly understand my noble Friend behind me, he does not propose to institute any inquiry at the present moment. This case of Cork as detailed by the petitioners, I fear, is by no means a single one; and I am afraid that in the course of the approaching Session of Parliament very many petitions of a similar character will be presented by different parties in Ireland, and will undergo investigation, on oath, before those tribunals which are appointed for the especial purpose of inquiry into disputed elections. I think that before those Committees it is very possible that not only local but much general information of very considerable interest and importance may be produced; and I am far from saying that if the result should be that not only in one case but in several—from any quarter or by any body of men—the free exercise of the right of election has been tampered or interfered with in Ireland—I am far from saying that the result of such a mass of evidence from different quarters may not justify and render necessary the intervention of the Legislature for the purpose of preventing such an infringement of the law, and such an interference with the liberty of the subject. But, for the present, while I cannot concur with the noble Lord opposite (Lord Monteagle) that my noble Friend behind me is open to any censure for having presented the petition, I entirely agree in the propriety of our neither, in this nor any other similar case, prejudging questions which must be submitted to competent tribunals in the other House of Parliament.

Petition read, and ordered to lie on the table.

UNIVERSITY TESTS IN SCOTLAND.

The DUKE of ARGYLL said, he wished to put a question to the noble Earl at the head of the Government, of very pressing importance, with reference to academic tests in Scotland. It was not his intention to raise any discussion on the subject, as the facts were sufficiently known to the noble Earl, and would probably before long come in detail under the consideration of their Lordships. All who were acquainted with the subject must be impressed with a sense of the incongruity of those tests with the existing circumstances and state of society in Scotland. He was, however, fully sensible of the difficulties to be dealt with in determining how they should be altered, and whether any other tests should be substituted. He trusted that if any change or modification of the law took place, it would come from the hands of the Government. He had reason to believe that the attention of the Government of the late Sir Robert Peel had been called to the important subject, and that if they had continued much longer in office, they would have laid a measure before Parliament with a view to the amendment of the law. The present law officers of the Crown in Scotland were gentlemen of the highest abilities and attainments, and as competent as any of their predecessors to deal with the question. He thought it of importance that if any measure was proposed, it should proceed from those who could not be supposed to be hostile to the Established Church. It was on that ground he urged the Government to take the subject into their serious consideration. He hoped the noble Earl would not be deterred from entering upon it by finding it was not in his power to devise any measure which would meet the opinions and views of all parties. From his own knowledge of the state of parties, and of the ecclesiastical divisions in Scotland, he was convinced that if the noble Earl refrained from introducing a measure until he could frame one which should be acceptable to all parties, he had better abandon the attempt at once, as altogether hopeless. He had no wish to speak with the slightest disrespect of the opinions and feelings of those who belonged to the Established Church in Scotland, of which he was a member. It was but natural that the ecclesiastical courts which were placed in the peculiar situation of trustees of the Church, should take a somewhat limited and technical view of the question, and stand on her legal and constitutional rights, however at variance with the altered circumstances of society. Though, as he before said, he was anxious that a measure should originate with those who, in a general point of view, were known to be favourable to the interests of the Established Church, he did not desire that an attempt should be made to conciliate all opinions, or even that the measure should receive the approbation and approval of the ecclesiastical courts. Having made these observations, he would ask, whether the Government intended, during the present Session, to propose any alteration or modification of the religious tests at present imposed on professors previous to occupying chairs in the Universities of Scotland?

The EARL of DERBY: I will give a plain answer to the noble Duke. Looking at the existing state of the law and the existing practice of the law, and looking, moreover, at the altered circumstances of Scotland in regard to ecclesiastical establishments, I certainly do not consider the present state of things as one calculated to give satisfaction; but at the same time the noble Duke has himself admitted the extreme difficulty of dealing with the question, which is one calculated to excite peculiarly strong religious feeling, and one, moreover, the noble Duke will bear in mind, in which this country is involved—one of the fundamental articles of the Treaty of Union with Scotland having been introduced for the protection of the rights of the Presbyterian Church of Scotland, when that country was incorporated with England, with an united Legislature in which the Scottish representatives must necessarily be a minority. The question of the possibility of altering the existing law is under anxious consideration of the Government, assisted by the present eminent chief law officer of the Crown in Scotland. I must say that while, in the first place, I admit that the present state of the law is so unsatisfactory that it might be possible for the Government to introduce amendments, yet it must not be forgotten that it is necessary, in dealing with such a question, to have peculiar reference to the religious feelings of a large portion of Scotchmen who still adhere to the Established Church, and to take especial care that, in introducing any amendment into the law, we do not give a colour to the allegation that we are using the power of the majority in a way hostile to the Presbyterian Church of the country, and for the purpose of removing restrictions and tests on which that Church sets great value, because they necessarily connect the Universities with the doctrine and discipline of the Presbyterian Church. Now, in employing those words doctrine and discipline, I confess that, in using my own judgment on the subject, and without hoping in the least to do that which has been adverted to by the noble Duke—conciliating the views of all parties—I certainly would have been very desirous to have seen a distinction drawn between two distinct portions of the tests—namely, those which apply to doctrine and those which apply to discipline. I believe the intention of the tests to be to secure the religious character of the University, and also its adherence to the Presbyterian doctrines of Scotland against the Episcopalians, the Roman Catholics, or any other body of men. The point of discipline is one altogether of minor importance. It always happens that in proportion as religious bodies approach each other more nearly in point of doctrine, the more earnestly they differ about questions of discipline and points of minor importance; and I apprehend that practically these tests are not brought to bear against Episcopalians, but are enforced against members of the Presbyterian Church who profess the doctrines, yet dissent from the discipline. I am, however, ready to admit, that if an alteration could be made, which, without altering the religious and Presbyterian character of the Universities, could in any way tend to reconcile the great bodies into which the Church of Scotland is at this moment split, and give those Universities the advantage of the talents and attainments of professors belonging to the different denominations, such a measure would be well entitled to the consideration of the Government. But, as I said before, looking at the difficulties which surround the question, I cannot undertake to promise that it will be in the power of the Government to bring forward any specific measure for the amendment of the law with regard to those tests.

The DUKE of ARGYLL trusted that the opinions which had been expressed by the noble Earl would have a good effect in Scotland. It should be recollected that after a professor had been admitted by taking those tests, the ecclesiastical courts of the Established Church had no power over him, and the declaration that he was subject to their discipline was a mere form. Though it had the effect of excluding most eminent men from the chairs of the Universities, it did no good. There were some men who wished for the abolition of all religious tests, but in that opinion he was not prepared to concur. He agreed with the noble Earl, that, touching as this matter did on a question that was settled by the Act of Union between England and Scotland, it was but right they should act with the greatest caution; but he could not see how a measure such as the noble Earl had alluded to, being a *minimum* change, could injuriously affect the interests of the

Established Church, while it would materially conduce to education in Scotland, and admit to the chairs of the Universities many men who were most able to discharge the important duties connected with them.

House adjourned to Thursday next.

HOUSE OF COMMONS,

Tuesday, November 30, 1852.

MINUTES.] PUBLIC BILL.—3° Bank Notes.

THE CASE OF MR. STEAD.

VISCOUNT **GODERICH** said, he wished to put a question to the noble Lord the Secretary of State for Foreign Affairs relative to the recent expulsion of Mr. Francis Stead from Prussia, by the police authorities of Berlin. It appeared that, in the month of August last, Mr. Stead visited Berlin, and, after residing there for two days, was arrested by the police, by whom he was detained in custody for a whole day, at the expiration of which period he was set at liberty, with an intimation that he must leave Berlin in the course of six hours, and that, if he returned, he would be committed to prison for one month. He (Viscount Goderich) should be glad to know whether the Prussian Government had offered any apology or explanation of such extraordinary conduct?

LORD **STANLEY** said, that the noble Lord had stated with accuracy the circumstances which had accompanied the arrest of Mr. Stead. Immediately after that event, Mr. Stead had very properly laid a statement of his case before Lord Bloomfield, our Ambassador at Berlin, who represented the matter to the Prussian authorities, and at the same time communicated with the Foreign Office. Lord Bloomfield at first received nothing more than the usual formal reply, that inquiry should be instituted and explanation given. After the lapse of a little time, an explanation was offered by the Prussian Government, to the effect that the Prussian police had obtained information from England that a person of the name of Stead was about to leave this country, and that he was implicated in a conspiracy to assassinate the King of Prussia. They were under the impression that Mr. Francis Stead was the person so described, and it was that suspicion that had led to his arrest and expulsion. The Prussian Government had expressed their regret at the circumstance, but he was bound to say that their explanation appeared so unsatisfactory, that another case having occurred about the same time, where a British subject was treated with almost equal harshness, Her Majesty's Government felt it to be their duty to remonstrate strongly upon the subject of their proceedings with the Prussian Government. It was due to Mr. Stead to say that nothing which had occurred in connexion with his arrest was in the slightest degree calculated to affect his character injuriously.

MINISTERS' MONEY (IRELAND).

MR. **FAGAN** rose to submit to the House the Motion which stood opposite his name in the notice paper. Having on three former occasions in the last Parliament submitted a similar Motion, it was not his intention to trespass at any great length on the indulgence of the House. But as he had the honour of addressing many hon. Members who had entered Parliament for the first time, and who knew but little of the subject under discussion, he felt it was due to them, and to the cause of which he was the humble advocate, as shortly and as succinctly as he was able, to place before the House the leading features of the question at issue. And, first, he would premise that he had no intention of interfering with the Church Establishment—that he was not coming forward in opposition to the wishes or the interests of the Protestant ministers who receive the tax called Ministers' Money—on the contrary, as he would show, that his Motion had their approval and concurrence, and that he was proposing nothing at variance with the objects, the purposes, or the preamble of the Church Temporalities Act. This vexatious, and he would call it odious, impost, amounted to the very paltry sum of 15,000*l.* a year levied off the occupiers of houses in eight corporate towns in Ireland for the support and maintenance—to use the language of the Act of Parliament—of the Protestants in these towns. These towns were Dublin, Cork, Waterford, Limerick, Kilkenny, Drogheda, Clonmell, and Kinsale. Now it was a curious circumstance that these towns may be fairly called Roman Catholic towns, the Roman Catholic population in them being in the ratio of from 6 to 1, to 4 to 1. The important towns of Ulster where the Protestant population preponderates—Belfast, Londonderry, Armagh, Enniskillen, and Carrickfergus, are exempt from this impost. But it is not only that these Roman Catholic towns are alone subject to this tax; it so happens that in these towns it is most unjustly and disproportionately levied from the poor Roman Catholic inhabitants. To explain this to the House it is necessary to state that the valuation for Ministers' Money is altogether distinct and different from the poor-law valuation. In the first place, no house can be valued at more than 60*l.* for Ministers' Money, though its actual valuation under the poor-law may be 100*l.* or 200*l.* Now the House will readily perceive that as such houses are occupied by the wealthier inhabitants, who are generally Protestants, there is, by this provision of the law an unjust favouritism shown them. But that is not all. The valuations for Ministers' Money in the old parts of these corporate towns are of a very remote date—in some cases over one hundred years—as the law is that there can be no valuation of a house while a stone of the original tenement stands—even though it might be converted into cellars, warehouses, or counting houses, which are not subject to the tax. Now, at the time when this original valuation took place, the houses in these quarters were occupied by the wealthy inhabitants, and were three or four times more valuable than they are now in their present state of dilapidation and deterioration, and consequently these houses are subject to three times the tax they would be if there were a new valuation. Now these houses are almost exclusively occupied by poor Roman Catholics. There is an admirable illustration of these two statements of what the law is, to be found in page 21 of the Minutes of Evidence before the Select Committee on Ministers' Money, where in a schedule furnished by one of the witnesses from the city of Cork, it is shown that while one great establishment valued under the poor-law at 2,000*l.* pays but the maximum of 3*l.* Irish, another person residing in a house in the old quarter of the city, valued now under the poor-law at 26*l.* pays also the maximum rate—his house being formerly valued at the full value of 60*l.* There is another strong illustration of this inequality in the city of Cork. In the parish of St. Mary Shandon, principally inhabited by poor Roman Catholics, the Ministers' Money in 1846 came to 300*l.*, and in the parish of the Holy Trinity, inhabited by a wealthy and principally Protestant population, the tax was then stated at 840*l.*, while the present valuation of the one does not exceed 6,000*l.* and that of the other is over 30,000*l.* But this is not the whole of the injustice. These poor people are subject to vexatious distraints of their miserable furniture, if they are not prepared with the tax for the support of a minister of a religion with which they had no communion—for the support of a minister, be it remembered, who believes it to be his duty to revile and calumniate from the pulpit the religion of the people who thus support him. He would harrow up the feelings of hon. Members were he to detail the miseries which the collectors of this tax have inflicted on the poor Roman Catholic occupiers of these houses. But his object was not to irritate; he would therefore forbear. To do the Protestant ministers who receive this impost justice, they are all anxious to have it abolished. This was the wish of several Protestant clergymen who were examined before the Select Committee, Dr. West of Dublin, the Rev. Mr. Elms of Limerick. It was the opinion also of Dr. Higgin, then Dean of Limerick, and he had himself communications from the present Dean, Dr. Kirwan, one of the most accomplished and exemplary dignitaries of the Established Church. And if he recollected rightly, there was one clergyman examined before the Select Committee who stated that he ceased to collect the tax at all, it was so truly odious to the people and to his own feelings. But it is said that all this injustice—this inequality may be got rid of by transferring the tax from the occupiers to the landlords—and by valuing all according to the poor-law valuation. Now in reply to this, he would say that this would not get rid of the odious nature of the tax—of the rancorous religious feeling which it engenders. It is in evidence before the Select Committee that the landlords of house property in Dublin and in other towns are principally Roman Catholics, and therefore this transference would not, like the tithe rent-charge, be placing the payment on Protestant landlords. Mr. Crean, a most intelligent witness before the Committee, and Dr. Higgin, Protestant Bishop of Limerick, strongly corroborated this view. He felt satisfied that if the grievous nature of this tax was in 1833 submitted to the present Earl of Derby, then Mr. Stanley, when he introduced to the consideration of Parliament his Church Temporalities Bill, that noble

Lord would have included it in his Bill, for the arguments he used against Church Cess applied with treble force to Ministers' Money; in fact, the arguments he used raised a strong presumption that he did intend to include this assessment in the provisions of the 73rd section of the Church Temporalities Act. This clause is very important in reference to the question now under consideration. It runs thus:—

> "And be it enacted, that all parishes and places where, by virtue of any law, statute, or custom, provision may heretofore have been made by vestry or assessment, for the maintenance of any curate, lecturer, clerk, or other minister, or assistant, in the celebration of divine service, such provision by vestry or other assessment shall, from and after the passing of this Act, wholly cease and determine, and it shall and may be lawful for said Commissioners under said Act, by and out of the proceeds of said annual tax, and other funds aforesaid, by this Act vested in them, to provide for all such purposes."

Now, if it be remembered that the words "Protestant minister" are used in the Act of Parliament as designating the person who was to receive Ministers' Money, it was not wonderful that the unlearned should imagine that this clause comprehended this obnoxious tax, and undoubtedly if the word "minister" had preceded the word curate in the clause, the enactment would have been complete. Now, though he had been hitherto unsuccessful in bringing this question before Parliament, he felt somewhat confident of success now for three distinct reasons. He was confident, in the first place, because of the recommendation of the Select Committee, made after a most anxious inquiry, and made in conformity to the views he had always entertained. This recommendation is embraced in the following passage of the report:—

> "In this state of things, your Committee think it incumbent upon them to state that an augmentation of the funds of the Ecclesiastical Commissioners may be rendered available as a substitute for Ministers' Money, and recommend that, with that view, an amendment of the Church Temporalities Act may be made. Your Committee are aware that the adoption of this measure will involve the interposition of a new trust, and the postponement or relinquishment of some of the ulterior objects contemplated by the Church Temporalities Act; but any objection founded on the displacement of the original objects of the Church Temporalities Act will be more than countervailed by the great advantages which, in a social, moral, and religious view, will arise from the removal of an obstacle to those feelings of amity and good will, which it will be essentially conducive to the general interest of the country to encourage between the working Protestant Clergy and the great body of the community, amongst whom, in the cities and towns of Ireland, their duties are usefully and honourably performed."

Now, he did not go to the extent of the report. He did not require the Commissioners to "postpone" or "relinquish" the ulterior objects contemplated by the Church Temporalities Act. He was in a position to show that the amount of Ministers' Money may be included in the permanent expenditure of the Ecclesiastical Commissioners, without requiring them to lessen their present expenditure for Church purposes. This he would come to by-and-by. He was confident, in the second place, of success, because of the solemn pledges given in the face of Parliament to him, by the noble Lord (Lord John Russell) when Prime Minister of England—and to Mr. Reynolds last year by the Secretary of State (Mr. Walpole), that they would bring in a measure to abolish this tax in conformity with the recommendation of the Committee. Now he could assure the noble Lord and the right hon. Gentleman, that the result in Ireland of these pledges was, that the clergy found extreme difficulty in collecting their incomes, and he was informed that in Kilkenny the people absolutely refused to pay at all. This reminded him of the celebrated expression used on one important occasion by the present Earl of Derby. He announced in his speech in Parliament "the extinction of tithes," and the consequence of that declaration was, no tithes could be afterwards collected, and the massacre at Gurtroe was the consequence. Now, he assured the noble Lord and the right hon. Gentleman that their declarations had produced in the minds of the people a very similar feeling, and it was dangerous and unwise to disappoint them. Lastly, and above all, he felt confident of success, because of the very great increase in the revenues of the Ecclesiastical Commissioners since the year 1848, when the Select Committee made the report they did—and which removes all difficulty and takes away all excuse from the Government or the House. This brought him to the consideration of the most important branch of the subject, namely, the question of a substitute. The three great sources of permanent revenue in the hands of the Ecclesiastical Commissioners are—the see estates, suspended dignities and benefices, and the tax on bishoprics and benefices. Now, the income derived from these three sources in 1847 and 1852, are as follows:—

See Estates ………	£32,638 ……	£50,259
Suspended Dignities and Benefices …	11,531 ……	15,749
Tax on Benefices and Bishoprics …	7,541 ……	11,785
Total ……	£51,710	£77,793

being an increase of 26,000*l.*, and the entire permanent revenue was estimated by the Ecclesiastical Commissioners to be 71,574. The actual receipts up to August, 1852, were 90,677*l.*, or 19,000*l.* surplus; and this was likely to be largely increased. On the other hand, the expenditure had decreased from 67,677*l.* in 1847, to 54,214*l.* in 1852. And this was to be expected, because of course year after year the expenditure for rebuilding and for repairs must of necessity diminish. But it may be asked, what became of the money? The answer is simple—over 28,000*l.* last year was invested in the funds, and 10,000*l.* paid for annual instalment to Government for the loan of 100,000*l.* sterling at the commencement of their Act. He had then fully demonstrated that there now existed ample funds to induce the House to assent to the recommendation of the Select Committee. But he would not rest there. He was in a position to show that, if his proposition was adopted, the revenues of the Commissioners would be vastly increased from a source which now yields but a very trifling comparative amount. Under the provisions of the Church Temporalities Act, the tenants of bishops' leases being a tenure of twenty-one years—are enabled, if they agree to the terms now imposed under that Act—to convert by purchase their tenure into perpetuities, and the amount of this purchase-money goes into the funds of the Ecclesiastical Commissioners. Now the entire value of these perpetuities was valued by Mr. Finlayson, the great calculator, at 1,200,080*l.*—of this sum nearly 700,000*l.* has not yet come into the hands of the Commissioners. Now it is evidently the interest of the Commissioners to induce the tenants of see estates to purchase these perpetuities, and their refusing to do so is of service to no person. Supposing, for instance, that the tenants under the Archbishop of Dublin declined to convert their leases into perpetuities. In that case the Commissioners would derive no benefit from the Archbishop's estates; but if these perpetuities were purchased, the whole amount of the purchase-money would come into the coffers of the Commissioners without diminishing one penny the Archbishop's income, or taking anything from the tenant without giving him a full equivalent. Now, it appears, that under the advice of an Attorney General for Ireland, the mode of computing the value of these perpetuities is altered so seriously to the disadvantage of the tenants that the annual receipts from perpetuities have diminished from 30,000*l.* and 40,000*l.* down to 3,820*l.* sterling, received in 1851, and 3,800*l.* received in 1852. In former years the purchase-money was ascertained by taking what was called the diocesan value, and calculating that at twenty years' purchase, and from this amount deducting the present value of the tenant's interest, and then allowing 4 per cent bonus. At present it is the real *bonâ fide* market value which a solvent tenant would pay for it from year to year, which is estimated at twenty years' purchase. This market value is considerably higher than the diocesan value. Now, when it is borne in mind that fifteen years' purchase is the highest rate given in the Encumbered Estates Court, for property subject to a high head rent, it will be at once seen how impossible it is to expect the tenants will make these purchases without much greater encouragement. He would propose, then, without altering the present mode of calculation, to allow a bonus of 10 per cent instead of 4. This would bring the rate of purchase down to seventeen years, which, considering the heavy head rent reserved, was quite enough for the perpetuity. If this were done, he was quite confident the funds of the Commissioners would enormously increase. Again, at the commencement of their Act, the Commissioners were allowed to make income of the annual receipts of the perpetuity purchase-money; and it was only in 1844 that Lord Heytesbury directed them to fund these receipts. Now, seeing what a large and almost exhaustless fund was this perpetuity purchase-money, he proposed until the permanent revenue of the Commissioners further increased, to allow the Commissioners, if they thought necessary, to appropriate a part of the receipts of the perpetuity money to be the substitute for Ministers' Money. Again, it appears that the tenants of the Ecclesiastical Commissioners are not bound to pay their renewal fines every year, and they need not renew until the very last year of their tenancy, and then the Commissioners cannot refuse renewing for them on receiving the renewal fine. This new construction of the law diminishes very considerably the income of the Commissioners. To remedy this, an Amendment of the Church Temporalities Act was proposed by the Commissioners. This Amendment, which is printed in the Appendix of the Report, he proposed to embody in his Bill, and thus in another important way increase the income of the Commissioners. Again, the under-tenants of bishops' lands holding under *toties quoties* leases were allowed to purchase the perpetuity of their holdings. But there was such difficulty in ascertaining the value of their interests that no purchases could be effected. To enable this to be effectually done, the Commissioners also drew up a set of clauses, which are also printed in the Appendix. These clauses, if they became law, would again very considerably increase their revenue, and, therefore, he proposed to introduce them in his Bill, if he were allowed to bring it in. Lastly, he proposed that the Government should relinquish any further claim on the funds of the Commissioners for the outstanding debt. Of the 100,000*l*. which was lent to them at the commencement of the Commission, 20,000*l*. principal is still due, though the principal and interest already paid come to 120,000*l*. This money was borrowed to meet the demands for Church purposes at a time when no revenue existed, the Legislature having abandoned all claims for the arrears due of Church cess. Having given up these arrears, the money lent to replace them might reasonably be charged on the Consolidated Fund; and certainly it would not now be too much to expect that the balance due should be wiped off, if it tended to the final settlement of this vexed question. One million sterling was paid the clergy in lieu of the arrears due to them of tithes. 20,000*l*. would not, therefore, be a great sacrifice for a great nation to make towards the tranquillity and contentment of even a small portion of the Catholic people of Ireland. He had placed before the House the proposition which he made for the abolition of Ministers' Money. He assured the House that he was actuated by no sectarian or party feeling in making this Motion. He did so with the sanction and concurrence of many respected clergy of the Established Church. Its success would give great satisfaction in Ireland. He entreated the House to grant the prayers of the petitioners for relief in the matter, and it would tend much to secure the confidence and gratitude of the Irish people.

Mr. LAWLESS seconded the Motion.

Motion made, and Question put—

"That this House will, upon Thursday next, resolve itself into a Committee, to take into consideration the Law relating to the Rate or Tax called Ministers' Money, in Ireland, with the view to repeal so much thereof as relates to the said Rate or Tax; and further to take into consideration the Act 3 and 4 Will. 4, c. 37, called the 'Church Temporalities Act,' for the purpose of amending the same, so as to provide thereby a substitute out of the Revenues of the Ecclesiastical Commissioners as a provision for the Protestant Ministers in certain corporate towns in Ireland, in lieu of the annual sums now received by them under and by virtue of the Act 17 and 18 Charles 2, c. 7."

Mr. WALPOLE said, that the hon. Gentleman the Member for the city of Cork (Mr. Fagan) had brought forward his Motion in a spirit of great moderation and good temper, and that he had done everything which he could to avert a religious discussion. It would be his endeavour to follow the excellent example which the hon. Member had set, while explaining the views which he (Mr. Walpole) took upon this subject, and the course which the Government intended to pursue. He believed that there were inconveniences attending this impost, and objections to it which ought to be removed. The objections pointed out by the hon. Gentleman as to the mode of valuation were very considerable, and he believed that some alleviation of the hardships they produced was expedient and necessary. The House was probably aware that a house rented at 60*l*. a year was valued at 60*l*., although it might be worth treble that money, and that in many parts of Ireland the same assessment remained in force, although the houses had fallen into decay. But there was another objection stronger than these, and that was that the clergymen themselves objected to receive their money from their poorer Roman Catholic fellow-subjects. Perhaps the House would permit him to draw attention to the Report upon the subject drawn up by that able and eloquent statesman whom they had lost, Richard Lalor Sheil. After stating several objections, the Report goes on to say—

"But the paramount objection to ministers' money is of a political and religious kind. The direct payment of an ecclesiastical tax from Roman Catholic occupiers to Protestant incumbents, as a remuneration for services in which the former do not partitipate, is as obnoxious as church cess, and since its abolition, and the commutation of tithes, is the only remaining impost which is immediately levied upon the Roman Catholic occupier, who is not also owner of the premises in respect of which the charge is made. This tax is rendered more obnoxious by the course pursued in reference to other ecclesiastical demands, and is regarded as the remnant of a system of which the continuance has been practically condemned. It is not an exaggeration to say that popular odium attaches to this tax, nor is it to those by whom it is paid that this antipathy is confined. This source of livelihood is an object of aversion to the clergy, by whom it is most painfully collected from the reluctant and the poor. Several clergymen have been examined in the course of this inquiry, all of whom concur in the expression of a strong desire on their own part, and on the part of the clergy, that some substitute for ministers' money may be provided. From a feeling of compassion, which does them great honour, and from an anxiety to avoid a collision with those towards whom they are placed in the relation of pecuniary creditors, and not of religious pastors, the Protestant incumbents have made large sacrifices of their incomes. Evidence was given that the Rev. Mr. Roe, formerly a rector in the city of Kilkenny, had for nine years relinquished a claim from which his principal support was derived. It is obvious that some measure should be adopted to rescue the clergy, by whom important duties are performed in the towns already mentioned, from the deprivations to which they are exposed. Ministers' money operates as a tax upon the lenity of those who have hardly any other income for their maintenance. Strongly impressed with the conviction that a mode of payment attended with so much hardship to the clergy themselves should be discontinued, our attention has been directed to various expedients which have been presented in lieu of this tax. It has been suggested that a commutation of ministers' money, grounded on the same principle as the commutation of tithes, should be adopted; but the number of Roman Catholic proprietors of houses is so great, and after the remedy by distress had been abolished, the difficulty that must attend the collection of the commuted tax, and the litigation in which the clergy would, in all likelihood, be involved in suing for small sums, of which the payment would be resisted from the motives which are now in operation, induce the belief that this project ought not to be entertained. Neither do the Committee conceive that the mischief for which it is essential to find a cure would be alleviated by any process of redemption which could be devised. If voluntary it would be inoperative; and if compulson was to be resorted to, an aggravation of evil would ensue. A charge upon the Consolidated Fund would be repudiated by the people of England. Convinced that by none of these means a satisfactory abolition of this tax could be brought about, your Committee directed their attention to the fund administered through the Ecclesiastical Commissioners, by the application of which the purposes formerly effected by church cess have been so usefully accomplished."

He would not object to a Committee of the House to take into consideration the subject, although he should have felt it his duty to object to an abstract Resolution which had for its object the abolition of the tax. For the House should recollect it was not an impost upon persons, but upon property; and the House could not admit that property was to be relieved from the burdens of an impost, merely because there was an inconvenience attending its collection. If the House abolished the tax *simpliciter*, they would leave the clergymen in those towns in which the tax at present was levied totally without any means of discharging their duties. Upon this point the evidence of the Rev. Mr. O'Sullivan was conclusive. He said that the Protestant clergymen were generally opposed to Ministers' Money, and he thought that they would prefer receiving their stipends in any other mode. He would quote from the Report the answers to Questions 1863 to 1869:—

"Have you had an opportunity of forming an opinion regarding the effect of ministers' money in Cork?—Certainly; as an officiating clergyman among the people, it necessarily has come under my notice. You consider the tax to be very obnoxious?—Particularly so. Have you had an opportunity of speaking to members of the Established Church, as well as to members of your own persuasion on the subject?—To a great many, lay and clergy. Are the Protestants, generally speaking, opposed to ministers' money?—The Protestants of Cork, principally; I think they prefer any other mode of payment for the clergy. Does the collection of ministers' money lead to discord and rancorous feeling as between the clergy and the inhabitants of Cork?—I would hardly call it a rancorous feeling; there is a feeling of dissatisfaction, and a feeling that it is an injustice; but except in cases here and there, where collectors may have been oppressive, there is no feeling of rancour. The inhabitants of Cork, I presume, would think that the clergy of the Established Church, who have duties to perform, should not be deprived of their livelihood?—On the contrary, I think that the general impression among the respectable classes of Roman Catholics in Cork, and indeed generally, is, that any arrangement which would take from the present incumbents their full amount of subsistence, becoming their rank as clergymen and gentlemen, would be unjust. And you say that it is the wish of the Roman Catholic inhabitants that the clergy of the Established Church in Cork should be paid fully for the duties they perform?—No doubt; and as I know that my examination must be a short one, I hope I do not intrude on the Committee in saying that from experience for the last several years, as secretary to the relief committee of Cork, there has been such a cordial feeling between the clergy of both Churches, they have acted so well and so zealously together, that I do believe that if this cause of irritation were removed in cities a very beneficial change would be produced upon the face and surface of society."

When the Church Temporalities Act was passed, a clause was brought in expressly to keep alive Ministers' Money. The hon. Gentleman said that the funds of the Ecclesiastical Commission were now sufficient to justify the appropriation of a portion of them, to get rid of an impost which was a cause of disagreement between Roman Catholics and Protestants in Ireland. The hon. Gentleman should first prove that those funds were sufficient; because by the Church Temporalities Act trusts were imposed upon those funds which must be discharged—1st, to provide what was necessary for the celebration of service in the church; 2nd, for the payment of sextons and clerks; 3rd, for the repair of the churches; 4th, for the maintenance of the churchyards; 5th, for building new churches; and, 6th, for augmenting the smaller livings. It was clear that all the preceding trusts down to the last must be satisfied before funds could be appropriated to the object proposed. But he was told, in point of fact, that the funds in the hands of the Commissioners were not sufficient for any such purpose, and he should object that those funds should be taken away from the great purposes for which they were placed in their hands until those purposes were satisfied. The House should not altogether forget that a great portion of those funds came, in fact, from a rate or charge now placed by virtue of that Act upon the benefices of all clergymen in the Church of Ireland, that charge varying from 2½ per cent to 15 per cent per annum upon the value of the benefices. That portion of the fund, therefore, was derived from the clergy themselves, and to do away with this impost, and to place it in the hands of the Ecclesiastical Commissioners, would amount to first depriving the clergy of a great portion of their incomes, and taxing them afterwards. He assured the hon. Gentleman that he had taken great pains to settle this question. He had had much conversation with the Lord Lieutenant, with the noble Lord the Secretary for Ireland, and with the right hon. and learned Gentleman the Attorney General for Ireland, upon the subject. The result of all those communications was, that he thought the matter could be settled, and the last conversation which he had had with the Lord Lieutenant upon the subject, when in England the other day, was in fact arranging the greater portion of the measure which he thought it would be the duty of the Government to bring forward after the recess. There were details in the measure, however, which required information before he could finally give his assent to it. That was the state of the case as far as the Government was concerned. Under those circumstances, thinking that something ought to be done with reference to the question, but that it should be done with great deliberation, he should certainly not attempt to negative the Motion of the hon. Gentleman; and if he would accept what he (Mr. Walpole) now proposed —namely, that by way of an Amendment he should move the previous question, he would undertake after the recess to bring the matter forward.

Mr. MURPHY said, it was quite apparent that this was a subject which was not mixed up with any spirit of sectarianism, but was one with reference to which those who differed in religion might agree in point of charity, and which it was as essential for Protestants as for Catholics should be speedily settled. But he asked what further pledge had they now for its settlement than they had had from a series of Governments? It was now some eleven years since he had first presented this question to the consideration of the House, and he was then met by the Government with words as conciliatory in spirit as those which the right hon. Gentleman the Home Secretary had just made use of. The answer had always been that they concurred in the propriety of abolishing this impost, and that they believed it to be a vexatious one, engendering heartburnings; but, while they made specious promises from time to time, nothing had been done. In his opinion they ought to have a more definite promise, and they ought to be informed as to the nature of the measure proposed to be introduced. Another very great objection to this impost was the mode in which it was levied. Houses which formerly let at high rents, were now occupied by poor families, at 2*s.* or 3*s.* a week. The rating was still kept up to the maximum; and it often happened the last remnant of household goods was torn from these wretched people to satisfy this unjust demand, whilst many rich Protestants, who were more in arrear, were never distrained upon at all. If the right hon. Gentleman's objection to the proposition were founded merely on the fact that this was a charge imposed upon property, and not upon persons, let him look at the Report of the Select Committee upon the Edinburgh Annuity Tax, which was a precisely analogous case, and he would there see it recommended that the funds should be taken from the Church, and remitted from the property of Edinburgh. If that were a wise proposition with regard to a rich city like Edinburgh, surely in justice it should be applied to Ireland, where many houses which had once been valuable belonged to most impoverished owners, upon whom this tax pressed with peculiar severity. He pressed it upon his hon. Friend (Mr. Fagan), that he should not be contented with this sort of yea-and-nay promise on the part of the Government, and that he should rest satisfied with nothing short of a declaration that the Law Officers of the Crown had prepared a Bill, or were about to draw one; that such a Bill should be laid upon the table after the recess; and that it should sweep away the anomaly of an impoverished Roman Catholic population paying for a ministration which they did not receive. They had abolished Tithes and Cess, and, if they did not adopt this principle, his belief was that it would prove to be but the narrow end of the wedge, which, as the refusal in the East Redford case had occasioned the Reform Bill, might have the effect of materially interferring with the entire establishment of the Church in Ireland.

Mr. NAPIER said, when his right hon. Friend the Secretary of State for the Home Department stated last Session, that it was the intention of Her Majesty's Government to take this question into consideration, that was no idle promise for the purpose of postponing it, but with the *bonâ fide* object of having it considered. He might say that since that time Her Majesty's Government had very fully considered the question, and he had himself given great attention to it; indeed, if his time had not been so much occupied, he should have been prepared with a Bill on the subject. During the time the late Government was in office, though he had no wish to thrust himself forward, he had been always willing to give his assistance to any measures for the good of Ireland. With regard to the late Government, also, he believed that their honest desire was to have settled this question; but he knew that the matter which stood in their way was, that on examining the funds of the Ecclesiastical Commissioners, it was found that this could not be placed upon those funds without postponing or displacing trusts which he was confident, when they were considered, the House would not consent to see postponed or displaced for the purposes connected with this particular measure. It was then to be considered, in the failure on any substitution of the mode of raising the amount, whether the inconveniences of the present system might not be met. With regard to the rating of houses which had fallen in value, to which the hon. and learned Gentleman, who had just sat down had alluded, he freely admitted that it was most desirable to exempt houses of small value entirely from this charge. But while he concurred in that view, he did not think it fair or equitable to seek to put this tax upon the poor clergy, many of whom were in humble circumstances, for there were many beneficed clergymen in Ireland whose average income did not amount to much more than from 120*l.* to 170*l.* a year. It was important to consider that in its origin this impost was a charge on property, and not on persons, and that at the time when the Act was passed, in the reign of Charles II., the inhabitants of these towns were mostly Protestants. Circumstances had changed, and he thought it was desirable the humble population should be to a certain extent exempted. As to the amount when exemption should commence, that was a matter of detail, but the great object was to make the whole valuation equitable. In conclusion, he might say, he would pledge himself to bring in a Bill on the subject, to endeavour to settle the question on equitable principles, and to do justice among all classes.

Mr. HUME said, that ever since he had been a Member of that House, Ministers' Money had been a subject of annual discontent and discussion, and he could not understand how any Government should not see it to be their interest to have the question settled as speedily as possible, especially when the Church Establishment was possessed of such ample funds, and when the sum in dispute amounted only to some 15,000*l.* a year. There was also the Edinburgh Annuity Tax, which stood in the same category, and which involved the sum of 17,000*l.* a year; and this, too, was a grievance which the Government should endeavour to remove. The right hon. and learned Gentleman the Attorney General for Ireland had stated that he would, after the recess, bring in a Bill on the subject of Ministers' Money; but he had not told them what was likely to be nature of the measure. Would it remove the stigma which the present system cast upon the Roman Catholic in forcing him, while professing one religion, to pay for another? For that was the grievance which ought to be remedied. And how could they remedy it more advantageously than—if there were funds in the hands of the Ecclesiastical Commissioners, as his hon. Friend (Mr. Fagan) said there were—by applying those funds to the payment of Ministers' Money, even if the Church should be called upon to make a small sacrifice thereby?—for surely the interests of religion and the peace of Ireland were of much more importance than 15,000*l.* a year. He trusted, therefore, that the Government would endeavour, without delay, to settle this vexed question of Ministers' Money in Ireland, as well as that of the Annuity Tax in Scotland, for he believed there were ample funds for both within the respective Churches of those countries.

VISCOUNT BERNARD said, that hon. Members should recollect that this was a preliminary Session of Parliament, the avowed object of which was to settle an important commercial question, and that they ought not to bring forward questions of this kind on the present occasion, but allow the Government time to bring forward the measures they had in contemplation. The right hon. and learned Gentleman the Attorney General for Ireland had told them that he had directed his attention to the subject now under discussion, and that he had the details of a Bill in the course of preparation. This ought to be sufficient to satisfy the House for the present. The House should also bear in mind what had already been stated, that when this tax was originally imposed, it was imposed on the property of Protestants, and that all who had purchased the property since had purchased it subject to the tax; and it should likewise be kept in view that supposing the mode of collecting the tax were changed, and they were to place it on the basis of the Poor Rate, two-thirds of it would still fall upon Protestants, as the great bulk of the property in the cities subjected to the tax belonged to them. The hon. Member for Montrose (Mr. Hume)—following the hon. Member for the city of Cork (Mr. Fagan)—had proposed to take the Ministers' Money out of the revenues of the Established Church of Ireland. Now, in the Report of the Ecclesiastical Commissioners for Ireland, which was issued only the other day, he found it stated that, although some improvement had recently taken place in the state of their funds, the Commissioners could not promise to

—"provide for the many pressing wants of the Church under the head of rebuilding, enlarging, painting, enclosing of churchyards, and other necessary works connected with the existing fabrics, even though they should be assisted largely by private subscriptions, until their income shall have been further augmented under the operation of the Church Temporalities Acts, inasmuch as it appeared from the architect's report, furnished at the commencement of this year, that a sum of 258,000*l.* was required for those purposes."

He could bear personal testimony to the fact that in the county in which he resided there were a number of churches in a most dilapidated state, and that the Commissioners told the inhabitants that they had no funds to repair them. He knew of other cases of incumbents who had refrained from applying to the Ecclesiastical Commissioners, from the knowledge that from the numerous claims upon that body their application would be ineffectual. The members of the Church, at the same time, were under the necessity of subscribing to societies for supplying additional curates—thus plainly showing that, if the funds of the Ecclesiastical Commissioners were as much enlarged as some hon. Members imagined them to be, they would all be required to support the Established Church.

MR. MAGUIRE threw himself on the indulgence of the House for a few minutes, as he was a new Member, and as this was the first occasion he had attempted to address them. He assured them that he would not have risen on this occasion had it not been that the question before the House was one which was considered exceedingly important in some of the principal localities of Ireland. The immediate object for which he rose was to urge upon the hon. Member for Cork (Mr. Fagan) to persevere in his Motion; and he did so in no spirit of hostility to the Government, for he had no hostility towards them on this question; but because the Government had given the Members representing Ireland no assurance that this subject should be taken into especial consideration, and because the Attorney General for Ireland had given the House no idea of the principle on which he intended to found his promised Bill. Had the Government given them any assurance that they would provide a satisfactory substitute for the existing mode of levying Ministers' Money, he would have advised his hon. Friend at once to withdraw his Motion, and accept the terms of Government. The right hon. Gentleman had spoken of the importance of avoiding religious controversy; but he should remember that nothing was more calculated to engender and keep alive religious rancour than such a grievance as this of Ministers' Money. He hoped, therefore, the House would bear with him while he stated some few reasons why he felt himself bound by a sense of duty to endeavour to bring this matter to a final and satisfactory adjustment. He, for one, did not object to this tax because it pressed on one description of occupiers or persons more than another. He objected to it entirely on the ground of principle. For the last fifty years the House had, with one sad exception, legislated in the spirit of the principle that no men should suffer restriction—that no one should be mulcted of his property, or deprived of his liberty, because of the religious principles he maintained. Now, in this spirit he asked the House to look upon the present Motion. Here was a tax levied upon the occupiers of houses in eight of the principal cities and corporate towns in Ireland for the support of clergymen of the Established Church; and it was a fact susceptible of easy proof that a majority of those occupiers were Roman Catholics. There were, besides, a large number of them Protestant Dissenters, including a considerable proportion of members of the Society of Friends. Now, from these persons money was extorted by the power and obligation of the law to maintain clergymen in whose faith they did not believe, whose ministry they did not solicit, and with whose persons, in many cases, they were unacquainted. Was this fair, or was it not? Surely this must be regarded as a violation of the civil and religious liberty which both sides of the House affected to respect. There was not a Gentleman in that House, or in the United Kingdom, who did not reverence the many virtues and active benevolence of the Society of Friends, and their admirable exertions for the destitute poor in Ireland at a time when their benevolence was most needed; and yet many of the members of that respectable body in Ireland were prosecuted from year to year, had their consciences outraged, and their property confiscated, in the most shameful and degrading manner, and all for the payment of this odious tax. The right hon. Gentleman had represented this as a tax upon property, and endeavoured to show what he (Mr. Maguire) did not believe was historically correct—that at the time of the first imposition of the tax a majority of the ratepayers were Protestants. He begged to refer the right hon. Gentleman to the evidence of the Rev. J. Elmes, where he would find it stated as the opinion of that rev. gentleman, whose authority, he believed, would weigh with the Government, that at the time the tax was created, in the 17th & 18th *Charles* II., most of the inhabitants and most of the occupiers of the houses in Limerick were altogether Roman Catholics. But supposing that it was right to continue the tax from generation to generation upon those houses which were originally made subject to it, how could hon. Members justify the imposition of the tax upon property which had since then been built by Roman Catholics? He knew a district in Cork, for instance, where about a dozen Roman Catholic proprietors had, within the last twenty years, built upwards of a hundred houses. Now, would it be fair to make these Catholics to pay the tax, whether as owners or occupiers? He admitted that places of worship should be kept in a proper condition; but the noble Lord the Member for Bandon (Viscount Bernard) had represented a state of things which rather existed in his own imagination than was susceptible of proof. But he could give the noble Lord some facts with respect to Protestant churches. He (Mr. Maguire) knew several Protestant churches in the county of Cork without congregations. There were four parishes in the diocese of Cloyne in which the congregation consisted of only three persons, and that congregation was migratory, lending their assistance sometimes to one parish and sometimes to another; such was the state of human, though not of spiritual, destitution, in the district. The proportion of Catholics to Protestants in the city of Cork was about six to one; in the city of Limerick it was, he believed, seven to one; in Kilkenny it was yet larger; and in the city of Waterford it was larger still. What, he asked, could be more galling and irritating to him as a Catholic than to be called upon to pay ministers whose faith he did not believe, however he might respect them personally? He thought he might justly regard such an impost as a badge of conquest and a brand of civil and religious inferiority. It must be remembered, also, that there were conscientious men in the various localities of Ireland who were prevented from voting at municipal elections because they would not pay this tax, preferring to have their goods distrained. It was not impossible that a measure might emanate from the other side of the House for amending and extending the franchise; yet, by maintaining this tax, they were continuing a system which prevented men who had the right to do so from managing their local affairs and exercising those powers which were given them by the law. In order to show the effect of continuing such a fretting sore, he might refer to a case which was mentioned by Mr. O'Flynn, one of the witnesses examined before the Committee. It was that of a respectable man who had formerly been an extensive merchant and farmer, but who had been reduced in circumstances. The collector called upon him for 1*l.* 7*s.*, three years' arrears of Ministers' Money. The wife said they were unable to pay, but the collector seized all their furniture and sold it immediately. The collector admitted that the little property which he seized had been left by the sheriff as an act of charity; yet what was left this miserable couple by the charity of the sheriff's officer was torn away from them by the representative of the ministers of religion! He put it to the most ardent supporters of the Established Church what must be the effect of such odious scenes upon a lively and susceptible population? What must be thought of those who were found levying black mail in the name of religion? He had the honour of knowing the Dean of Waterford, the distinguished Protestant Bishop of Limerick, and many other clergymen of the Established Church, who benefited by this tax against their own wish. The Rev. Dr. West, of Dublin, stated also that the clergy of Dublin were anxious to avoid having to fight for their incomes; and the Rev. Mr. Elmes designated the tax not merely as obnoxious, but as exceedingly obnoxious. He might here say a word or two about the mode of seizure and of sale. One of the collectors was asked by the Chairman of the Committee whether he gave notice of the sales, and he replied, "No; I give no notice when or where the things are to be sold; the Ministers' Money Act does not require such notice." Wherever it was sold, however, and no matter what sum was realised, the owner of the property had no means of knowing what became of it. A few days before he (Mr. Maguire) left Cork, two sacks of flour were seized from a Quaker in Patrick-street by a flour-dealing collector. The Quaker was unable to gain any intelligence of the whereabouts of his property, but some persons were malicious enough to say that the collector was seen dispensing, with his orthodox hands, the ravished flour of the Quaker. It appeared from the evidence given before the Committee, that in cases where houses had fallen into ruin, and had been unoccupied for periods of eleven, eight, and seven years, when they were rebuilt by the owners, the whole arrears of Ministers' Money were extorted from the occupiers. Let them put this tax into any form they liked, it would still be odious and offensive. His own religious opinions were as strong as those of any man; but at the same time, being anxious for the welfare of the country, and that every man in his country should live in amity and kindness with his neighbour, he must declare that he could conceive nothing more degrading to religion than that clergymen and ministers of religion should be placed in the odious and invidious position in which they were placed by the maintenance of this tax. A short time since he went, as a member of a deputation, to several of the southern towns of Ireland, with a view of interesting persons in the National Exhibition, which had been so signally successful, and many of those from whom the deputation received the greatest assistance were Protestant clergymen. Now, if there ever was a time when it was necessary that good feeling should exist between men of all religious persuasions in Ireland, this was that time. An industrial movement was now going on in Ireland; it was becoming more and more developed every day; and he believed it might be the means of laying the foundations of local prosperity in many parts of that country. Protestants, Catholics, and Quakers united in promoting and patronising this movement, and he asked those who wished to establish good feeling between Protestants and Catholics, and to advance the interests of their country, to assist in doing away with every cause of rancour and dissension. If, however, he were told that he was to be taxed and mulcted, because he was a Roman Catholic, he could not entertain in his heart those sentiments which Christian men ought to cherish. He asked the House in the name of religion, which was dishonoured by this tax, and in the name of justice, which was outraged by its imposition upon Catholics, Presbyterians, and Quakers, not merely to sanction some temporary change of the burden from one shoulder to the other, but to get rid of it altogether, and to give up the building of a few Protestant churches, rather than have the principles of the Protestant religion tarnished and disgraced by its ministers being placed in so odious a position.

Sir JOHN SHELLEY said, he had come down to the House intending to give his support to the Motion; and what he had heard during the discussion confirmed him in the opinion that it was necessary this subject should be thoroughly investigated. He thought, however, after the assurances which had been given on the part of Her Majesty's Government, that they would bring in a measure on the subject early after the recess, that the hon. Gentleman who brought forward this Motion would rather damage than advance his cause by pressing the Motion under the circumstances.

Captain JONES said, that the statement of the noble Member for Bandon (Viscount Barnard), that it was absolutely necessary that additional funds should be appropriated to the rebuilding and repair of churches in Ireland, was fully borne out by the Reports of the Ecclesiastical Commissioners. He would be extremely glad if it were possible to provide for the payment of the Ministers' Money in some other way, but he must protest against the charge being thrown entirely upon the Ecclesiastical Commissioners. It was, indeed, clear from the Reports that the funds in the hands of the Commissioners were utterly inadequate for the purpose.

Mr. FORTESCUE said, that he considered the objects for which this obnoxious, unfair, and mischievous tax was levied, ought to be provided for from the funds of the Established Church in Ireland. He thought the revenues of those sinecure livings which disgraced that Establishment might, with great benefit, be applied to this purpose. He hoped the Government would not be too scrupulous in applying the funds of the Established Church to those objects.

Mr. MONSELL said, he would suggest to his hon. Friend the Member for the city of Cork (Mr. Fagan), that he should not press his Motion after the promise made by the Government to introduce a Bill on the subject. It appeared to be admitted on both sides of the House that the tax was most obnoxious, and its recipients objected to it just as much as those who were called upon to pay it. If his hon. Friend forbore from pressing his Motion now, the House would judge, when the Government brought forward their measure, whether it met the case satisfactorily or not; and he thought his hon. Friend would be in a better position if he showed an inclination fairly to consider the proposal of the Government.

Mr. FAGAN said, he felt himself bound by a sense of duty to divide the House. If the Government had held out any hope that this obnoxious tax would be abolished, he would not call for a division, but from the sketch placed before the House of the nature of the right hon. and learned Attorney General's Bill, he was quite satisfied there was no intention whatever of abolishing this impost, but simply of transferring it from the occupiers of the houses to the landlords. He therefore felt it due to his constituents, who would not be satisfied with such an arrangement, to press his Motion.

Whereupon the *previous Question* was put, " That that Question be now put."

The House *divided*:—Ayes 94; Noes 140: Majority 46.

List of the Ayes.

Baines, rt. hon. M. T.
Ball, J.
Barnes, T.
Bell, J.
Bellew, Capt.
Berkeley, hon. C. F.
Bowyer, G.
Brady, J.
Bright, J.
Brotherton, J.
Brown, H.
Burke, Sir T. J.
Butler, C. S.
Byng, hon. G. H. C.
Challis, Ald.
Cheetham, J.
Clay, J.
Clay, Sir W.
Cobden, R.
Coffin, W.
Crossley, F.
Devereux, J. T.
Duffy, C. G.
Duncan, G.
Esmonde, J.
Fergus, J.
Fitzgerald, J. D.
Fitzgerald, Sir J. F.
Fortescue, C.
Gardner, R.
Gibson, rt. hon. T. M.
Goderich, Visct.
Goodman, Sir G.
Gower, hon. F. L.
Grace, O. D. J.
Greene, J.
Greville, Col. F.
Hastie, A.
Hastie, A.
Heard, J. I.
Henchy, D. O.
Higgins, G. G. O.
Hindley, C.
Hume, J.
Keating, R.
Kennedy, T.
Kirk, W.
Laslett, W.
Lawless, hon. C.
Loveden, P.
Lucas, F.
M'Cann, J.
M'Gregor, J.
M'Mahon, P.
Magan, W. H.
Maguire, J. F.
Meagher, T.
Massey, W. N.
Miall, E.
Milner, W. M. E.
Mitchell, T. A.
Molesworth, Sir W.
Moore, G. H.
Mulgrave, Earl of
Murrough, J. P.
Norreys, Sir D. J.
O'Brien, C.
O'Brien, P.
O'Brien, Sir T.
O'Flaherty, A.
Otway, A. J.
Pellatt, A.
Pinney, W.
Pollard-Urquhart, W.
Potter, R.
Power, N.
Price, W. P.
Roche, E. B.
Russell, F. W.
Sadleir, J.
Sadleir, J.
Scully, V.
Shee, W.
Shelley, Sir J. V.

Smith, rt. hon. R. V.
Sullivan, M.
Swift, R.
Thomson, G.
Thornely, T.
Towneley, C.
Villiers, hon. C. P.
Whitbread, S.
Wilkinson, W. A.
Williams, W.

TELLERS.
Fagan, W. T.
Murphy, F. S.

The House adjourned at a quarter after Seven o'clock.

HOUSE OF COMMONS,

Wednesday, December 1, 1852.

COUNTY ELECTIONS POLLS BILL.

Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. BUCK said, that, as the representative of a very large agricultural district (Devonshire), he felt that, if the Bill were passed in its present shape, it would be impossible for his constituency to exercise the franchise without much inconvenience. It must be evident to every one who was acquainted with the county constituencies that the greatest possible difficulty would arise from the provisions of the Bill; and he now interposed for the purpose of appealing to the noble Lord (Lord R. Grosvenor), and requesting him to postpone its further consideration until after the recess, that hon. Members might have an opportunity of communicating with their constituents, and ascertaining what were their sentiments upon the subject. If, however, the noble Lord would not accede to that suggestion, he trusted he would adopt another course, which he could assure him would meet the concurrence of several Gentlemen on that (the Ministerial) side of the House, and consent to submit the Bill to the consideration of a Select Committee. It was by no means his wish to defeat the Bill; all he desired was that it should be made as satisfactory to the country as it was possible to make it.

Mr. MILES said, that, before the noble Lord answered the appeal of his (Mr. Miles's) hon. Friend (Mr. Buck), he trusted he would take into his consideration a point which he (Mr. Miles) thought was a necessary preliminary to the discussion of to-day. It was desirable that the noble Lord should state distinctly to the House what were his intentions in proposing this Bill. In the last Parliament the noble Lord began by confining his measure to the simple proposition that the Poll for Counties should last but one day. Subsequently, however, he added one or two apparently trivial things to the Bill, the effect of which was to prevent its passing that Session. And now he had complicated a simple proposition by adding two others to it—namely, that the period to elapse between the nomination and the Poll should be only one day, and between the Poll and declaration one day more. To him (Mr. Miles) these propositions would be an almost insuperable barrier to the passing of the measure. He thought it right, therefore, that the House should perfectly understand what was the actual shape which the noble Lord intended the Bill should assume.

Lord ROBERT GROSVENOR, in reply to the question of the hon. Member for North Devonshire (Mr. Buck), said, that if the Bill were then for the first time introduced, there might have been some reason in that hon. Gentleman's request; but the House would recollect that not only was that not the case, but the Bill was brought in last Session with the sanction of the Government to its principle—that since that time an election had taken place—and that he had in the late Parliament given notice that he should again bring forward the measure. It could not be contended, therefore, that the constituencies had not had the most ample opportunity of considering it: the hon. Gentleman would excuse him if he declined to comply with his request. The hon. Member for East Somersetshire (Mr. Miles) had desired him (Lord R. Grosvenor) to state what he really meant to accomplish by his Bill. In the first place, then, the Amendment of which he had given notice for limiting to one day the period between the nomination and the Poll having been received with so little favour by the House, it was his intention, as he had stated on a previous occasion, to withdraw it; so that, as far as he himself was concerned, he proposed now simply to limit the duration of the poll to one day instead of two, and to provide that the official declaration should be made the day following the close of the poll instead of the day but one after.

Sir GEORGE PECHELL said, he concurred in the opinion expressed by the noble Lord who had charge of the Bill, that the country had had abundant opportunity to make itself acquainted with the provisions of the measure, and that there was therefore no legitimate excuse for further postponement. He did not believe that any evil result would follow from confining the polling to one day, as in boroughs. In the borough of Shoreham, which was of considerable extent, he believed there existed no difficulty in taking the poll in one day.

Mr. PACKE said, he must complain of the haste with which it was endeavoured to pass this Bill through the House, and he thought more time should be allowed for considering its provisions. The principal ground upon which he was opposed to the Bill was, that it would certainly operate as a measure of disfranchisement in the case of a large portion of the county electors, and these of the most important class. The state of the weather during the last fortnight ought to have convinced the House of the great difficulty which would have been experienced in many counties by the electors attempting to come to the poll at all. For these, among other reasons, he should oppose the further progress of the Bill, and move, as an Amendment, that it should be committed on that day six months.

Amendment proposed, to leave out from the word "That," to the end of the Question, in order to add the words, "this House will, upon this day six months, resolve itself into the said Committee," instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. DRUMMOND said, he should support the Bill. The whole of the objections which had been urged on that (the Ministerial) side of the House might be obviated by inserting a provision for the establishment of more polling places, and for taking the votes at the houses of the electors in the same manner as was now done at elections of guardians of the poor.

Lord ALEXANDER LENNOX said, that as the hon. and gallant Member for Brighton (Sir G. Pechell) had quoted the borough which he (Lord A. Lennox) had the honour to represent, as an instance that no inconvenience could arise from having only two polling places, and confining the polling to one day, that district being thirty miles long and ten wide, he begged to inform him that the inconvenience was so great, and the complaints so general, that it was his intention to move a clause to the Bill to place the borough of Shoreham upon the same footing as counties.

Mr. G. BUTT said, he proposed to move an instruction to the Committee to insert a clause for shortening the time between the proclamation and the day of election in counties, and between the time of the receipt of the writ and the election in boroughs. At present county elections took place under the regulations of the Act of 25 *Geo.* III. (1785). The first duty of the House was to take care that they limited the expenses by every possible means, and also abridged the duration of those seasons of strife, excitement, and dissipation, which were the most crying of the evils attendant upon elections in the present day. He had heard it suggested—and the suggestion was certainly entitled to great weight—that there were circumstances and times in which it might be exceedingly difficult for the electors to get to the poll, and the present season had been instanced by one hon. Gentleman as illustrative of this difficulty; but he submitted that for such extraordinary circumstances it was impossible for Parliament to legislate. They must rather decide upon general principles, and legislate for ordinary circumstances, than attempt to provide for the many exceptional cases which would be sure to arise whatever the law might be. Considering, then, the improved means of communication in the present day—the variety of changes which had been effected in society, and the facilities for giving votes—none of which existed in 1785, the time of passing that Act, he proposed to limit the period between the receipt by the sheriff of the writ and the day of election to ten days, instead of sixteen; and the period between the proclamation and the official declaration of the poll to five days, instead of ten. So far as to county elections. With regard to borough elections, the House was aware that by the Act 3 & 4 *Vict.* it was provided that these should take place within eight days after the receipt of the precept by the returning officer, three clear days' notice being given by him of the time for holding the election. Now, as he proposed to alter the law relating to county elections, it was necessary that he should also propose to alter the law as to borough elections, in order that borough and county elections might not conflict. He proposed, therefore, to alter the time in respect to borough elections, so that the election should be held within six days, instead of eight, after the receipt of the precept by the returning officer, he giving two clear days' notice of the holding such election. He believed that the Bill would be greatly improved by the introduction of these clauses.

Mr. BECKETT DENISON did not think that any hon. Gentleman would object to the substance of the hon. and learned Gentleman's proposition, as the feeling of the House was, that all these proceedings should be shortened as much as possible; but with respect to the period between the nomination and polling, he certainly thought that, if the polling should be limited to one day, it would not be unfair to allow more time than at present for preparation between the nomination and the poll. He had been informed by election agents that there would be no difficulty in taking the poll in one day, provided the number of polling places was increased. He thought, too, that as little trouble as possible should be given to the voters, and that the election should be taken to the electors instead of the electors to the election. He would not at present refer further to the suggestion that the poll should be taken by voting papers; but as it was the disposition of the House to deal very stringently with treating and the expenditure of money during an election, it was quite clear that if the candidates were not allowed by Parliament to bring voters up to the poll, they would not be got up. There was only one point more, and that was, that in some districts it would be impossible to get the poll-books up in time to make the declaration of the poll on the day following the election, and he would therefore suggest that the declaration should be deferred until the day but one after the election.

Mr. WALPOLE said, he had supported the Bill on its second reading, and intended to support the Motion for going into Committee upon it now; and if the noble Lord (Lord R. Grosvenor) confined it to the object he had just stated, he had no doubt that much time would be saved, and the Bill speedily passed. As to the Motion of his hon. and learned Friend (Mr. G. Butt), he would not say whether his hon. and learned Friend's Amendments were desirable or not; but the House should consider whether it ought to entertain an instruction to the Committee on a question of this kind, which instruction had been placed upon the Votes only the night before. For his part, he had not seen his hon. and learned Friend's notice until that morning, and he had had no opportunity of consulting his Colleagues upon the subject. If his hon. and learned Friend would withdraw his instruction, the House might go into Committee on the Bill at once, and proceed to the consideration of its details without further delay.

Lord HARRY VANE said, he was of opinion that, if the Bill passed, additional polling places in counties would be indispensably necessary. In the hope that the objectionable parts of the Bill would be rectified in Committee, he would not oppose it in its present stage.

Lord JOHN RUSSELL said, that the principle of the Bill having been agreed to by the House, it was desirable that they should carry it into effect with as little delay as possible. With respect to the polling places, no doubt if the polling was confined to one day, it would not only be desirable but necessary to increase the number of those places, for he thought that a person going to vote at a county election ought not to travel further than a person who had to vote for a city or borough, and resided within seven miles of it; but that could be accomplished by the law as it at present stood. It was competent for Justices of the Peace to propose any increase in the number of polling places that they might think expedient, and the power of carrying out their recommendation was reserved to the Queen in Council. There was no reason to suppose that the magistrates would not be actuated by a desire to consult the convenience of the electors, by recommending the erection of additional polling places in such situations as they, judging from their local knowledge, might consider most advantageous. The hon. and learned Gentleman (Mr. G. Butt) who moved the instructions had raised a question as to the time between the issuing of the writ and the time of the election. He thought it would be better to propose that in a separate Bill; but he would ask whether, rather than abridging the time, it would not be better to extend it. Suppose a Member of that House died, and the writ were issued immediately, the constituents ought, in such a case, to have time to consider which candidate would be the best representative, and he thought three days would not be too much for that purpose. The question was one of importance, and perhaps the hon. and learned Gentleman would bring it forward in a separate form.

Mr. MULLINGS said, that in the course of twenty-five years' experience he had had the management of many county elections, and from that experience he could say that if the polling was confined to one day, and the polling places, consequently, were increased in number, the expense would be also greatly increased, inasmuch as there must be a large additional staff of persons engaged to conduct the proceedings. If, too, the polling were confined to one day, the halt, the lame, the maimed, and the blind would all be brought up the first day at a great expense, whereas now they were reserved for the second day, and not brought up unless they were really wanted. There was one thing, however, in the Bill that very much counterbalanced the disadvantage of the increased expense—that the polling being confined to one day would tend very much to prevent the occurrence of those dreadful scenes that had in many elections been the result of the first day's polling.

Mr. HUME said, he was surprised that difficulties should be interposed in the way of this measure. Let hon. Gentlemen look at the evidence taken before the Committee of 1836, and they would find what were the practices resorted to for the purpose of bringing up the halt, the lame, and the blind, after the polling had commenced. The whole pressure of an election was now over at 12 o'clock, and he thought that any measure would be a great improvement which would put a stop to the scenes of bribery and corruption which had heretofore disgraced our elections.

Mr. HENLEY said, that the county papers were generally only circulated once a week in the county, and the notice of nomination and of the election was often not published in the county paper for several days after it had been determined upon. Thus, three-fourths of the county by this means did not know what the other fourth was doing. In his opinion, therefore, more time ought to be extended, instead of having it diminished.

Mr. VERNON SMITH said, he believed that, by having more polling places, much expense would be saved to the voters, and that an end would be put to those practices which generally took place on the first night of the election. He, therefore, hoped that the noble Lord (Lord R. Grosvenor) would not risk that which was good in his measure by mixing it up with the question of voting.

Mr. G. BUTT said, that after what had taken place, he would beg to withdraw his instructions; but after the recess he would introduce a measure embodying the provisions to which he had adverted.

Mr. VINCENT SCULLY said, he considered the Bill of great importance, not only in regard to England but to Ireland also. He was, however, afraid that the machinery of it could not be beneficially applied to Ireland. By the system which was generally adopted at the elections in the sister country in administering the bribery oath, and two other oaths, for the purposes of delay, only from 100 to 200 votes could be conveniently polled in one day. This was a scandalous practice, and should be put a stop to. He knew a case in which only sixty persons were enabled to poll in the one day in consequence of the many difficulties which the existing law permitted the opposing parties to throw in the way. He was of opinion that a beneficial change would be effected in the law if those oaths were ordered to be taken before a magistrate, and not at the polling booth.

Mr. MONSELL said, he was anxious to see how the measure would work for England before the principles of it were made applicable to Ireland.

Captain SCOBELL said, he knew that many of the disturbances which took place at contested elections, arose principally from the circumstances of the polling booth being errected on the premises of a public-house. He would in Committee move a proviso to prevent the continuance of that practice.

Colonel SIBTHORP said, he had always entertained the same opinion upon this subject. He thought that the Reform Bill was intended to settle all questions of this kind, but it appeared that that was not so. The present measure was essentially a mean one. He must say he did not wish to see any change made in the law of elections. He was perfectly satisfied to represent the city which he had had the honour of representing for so many years, and he had the vanity to think that his constituency did not wish to see any change in their representation. The House was told that this measure would check bribery. Now, he had heard a great deal about bribery, He supposed it would be considered an act of bribery if a man held out his hand to discharge a mere Christian duty to his suffering fellow-creature. He had no reliance on the House of Commons, and therefore what he should do, would be to keep clear of the present proceeding.

He relied on another place, which was not so liable to be actuated by violent party motives as that House; and he hoped that as they had done on former occasions, they would again exercise that constitutional care for the liberty of the subject which the Upper House had ever displayed; and that they would throw out this Bill, which was a mean, dirty, shabby contrivance to save money going out of their pockets. Hon. Gentlemen would no doubt go to the hustings, and tell their beer constituents that they wished them all to be happy, and that their pledges should not be broken, but upheld. All this time it was well known that their conduct was influenced by selfish motives. He would therefore take every opportunity to check these pretences, which he thought would reflect little credit upon the honour and character of that House.

Mr. DEEDES said, he had no objection to the principle of confining the taking of the poll to one day; but he thought it should be accompanied with other provisions of an important character that were necessary to remedy many evils of their present election law. He should like to see a much more extensive measure introduced than the present one.

Mr. GEORGE said, he quite concurred in the necessity of limiting the polling in the counties of Ireland, as well as elsewhere, to one day.

Mr, PACKE, said, he would not press his Amendment.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to;* Bill *considered* in Committee, and *reported;* as amended, to be considered on Friday.

THE "MELBOURNE" STEAMER.

Mr. DRUMMOND moved for Copies of Reports received at the Admiralty from Commander Wolridge, of Her Majesty's ship *Inflexible*, relative to the *Melbourne* (late Her Majesty's screw steamer *Greenock*), now belonging to the Royal Australian Steamship Company, having put into Lisbon in a defective condition. He would beg to refer to the sufferings which had been endured by the passengers on board the *Melbourne* in consequence of the defective accommodation which had been provided for them. He wished to know whether the Admiralty had received any information respecting the amount of damage that had been done to the mail-bags that were on board, and also whether they had any means of affording protection to the passengers on board the ships that carried Her Majesty's mails? Because, if they had not, the public ought to be warned not to take passages in vessels which had a Government contract, for, in such cases, they would obtain no redress for any grievance they might have to complain of.

Mr. STAFFORD said, that there could be no objection on the part of the Admiralty to granting the Returns which the hon. Member asked for; and he begged to take the opportunity of this Motion to say a few words, which, if they did not give the exact state of the case as regarded the *Melbourne*, would, at all events, be far nearer it than that which had appeared in the public papers—he meant at least as regarded the Admiralty. And the reason why the public could not possibly be in possession of the whole state of the case was this—that an inquiry had been ordered into the conduct of the captain on his return to this country, which, of course, had not yet taken place, though it was known that the Company had sent out Captain Henderson with orders to supersede Captain Cox, and to send out the vessel under the charge of the officer next in command, or to act otherwise in the matter as he should think best fitted for carrying on the voyage. The hon. Gentleman had asked if the Admiralty had received any account of the extent of the injury which had been done to the mails. The facts on that point would be found fully detailed in the papers which had just been moved for; but in the meantime he might state that the accounts which had appeared in the papers of the damage to the mails were very much exaggerated, and that the statement that the mails had been saturated in the brine of the Bay of Biscay was altogether erroneous. The state of the case with regard to the Admiralty and the *Melbourne* was this: the *Melbourne* was one of the four iron screw steamers which were ordered by the Admiralty in 1845. This vessel, however, was not built till 1848, and was not finally launched till April, 1849. On trial it was found that she stood too deep in the water; and, to remedy this, her engines, which were 500-horse power, were taken out, and replaced by engines of 250-horse power. He had no wish to express a premature opinion of the conduct of the captain, but this at least he might be permitted to say, that though it was notorious that the Admiralty had found the engines too heavy, and had replaced them by lighter engines, the first thing the captain did was to take on board 160 tons of pig iron at Woolwich. The responsibility of this rested of course with the Company and the captain, and not with the Admiralty. The Admiralty could not be responsible for a ship that was altered subsequent to its sailing. In the contract between the Company and the Government it was expressly provided that an Admiralty surveyor should be permitted to survey the vessel before sailing, and that proper accommodation should be provided on board for the officer who had charge of the mails. With respect to accommodation for the passengers, that was left to be arranged between the Company and the passengers themselves. If the accommodation was good, passengers would be more likely to avail themselves of it; and if it was bad, the interests of the Company would suffer from the consequent loss of remuneration. All that the Admiralty were bound to look to was the security of the mails and the accommodation of the naval officer who was placed on board to watch over them.

Mr. DIVETT said, that from the time the Australian Royal Steam Company had commenced its operations till now, there had been a continual series of complaints against their management; and he thought that it was the duty of the Admiralty, who were paying the Company an immense sum for the conveyance of the mails, to take every precaution to secure the safe and rapid transit of the passengers. He hoped that the hon. Secretary of the Admiralty would take care that there should be a proper investigation in this case.

Mr. HUME wished to know whether any complaint had been made to the Admiralty respecting the conveyance of the mails, to the effect that the Company had not fulfilled their agreement with the Admiralty—for that was the point to look to?

Mr. A. DUNCOMBE, in reply, begged to state that no such complaint had been received by the Admiralty; and, in the absence of correct information, it would be injudicious in the House to prejudge the case. He had to request the hon. Member to add to his Motion the words "also copies of letters from Captain Phillimore, the Government agent on board the vessel."

Motion *agreed to.*

THE DERBY ELECTION.

Report of the Gentlemen named on the General Committee of Elections *brought up*, and read as follows:—

> "The Gentlemen named on the General Committee of Elections, who were instructed to select a Committee of Five Members to take into Consideration the matter of the Petition of Inhabitant Householders of the Borough of Derby, have selected a Committee of Five Members accordingly, namely, Mr. Goulburn, Lord Harry Vane, Viscount Barrington, Sir William Molesworth, Mr. Deedes."

Report to lie on the table.

The House adjourned at Three o'clock.

HOUSE OF LORDS,

Thursday, December 2, 1852.

Minutes.] *Took the Oaths.*—The Lord Ponsonby.

Public Bill.—1ª Bank Notes.

COMMERCIAL LEGISLATION.

The Marquess of CLANRICARDE: My Lords, in reference to the conversation which took place the other evening, I wish to state shortly to your Lordships the course I now propose to take, in regard to a Resolution which I had intended to move, and which, I thought this House should adopt. I stated the other evening that nothing was so much in my mind as to obtain from your Lordships' House an unanimous Resolution, or one as nearly unanimous, as the great and important subject to which it referred would possibly admit of. I think there would have been the greatest possible advantage if the noble Earl opposite (the Earl of Derby) had thought it right to adopt the Resolutions which have been come to by the other House of Parliament. I think there would have been great advantage, great force, and great weight in the two Houses adopting a concurrent vote on this question. But I am free to say that I think there will still be great advantage in recording the opinion of this House to be unchanged—such as it was when it passed the measure of 1846, and such as it has been proved to be on different occasions since that time, when the commercial policy of the country has been discussed in this House. I think, I say, there will be a great advantage in a unanimous, or nearly a unanimous, vote on this subject, by which your Lordships may avoid all those personal and recriminatory attacks to which unfortunately the subject might lead, but which would tend to no public advantage. With this view it was my hope, indeed, that your Lordships would have adopted the Resolutions adopted by the House of Commons; and I was very much surprised when the noble Earl stated that he had an objection to those Resolutions. I am not going to canvass the grounds of that objection, such as they might be indicated from anything which fell from the noble Earl on that occasion, or such as I myself might suppose them to be. I am not going to argue on the subject at all. It has been my desire to find words which should accord with the suggestion thrown out by the noble Earl as well as I could, in order to attain as nearly as I could the main object I had in view—namely, the pronouncing of an opinion by this House, if not unanimous, yet agreed to by a large majority, although I might fail in obtaining a concurrent vote with that of the other House of Parliament. I therefore thought it right to take a Motion which was made, by way of Amendment, by the right hon. Gentleman the Chancellor of the Exchequer in the House of Commons, and upon that to frame a Resolution for your Lordships' consideration, which would be in substance and in meaning the same as the Amendment moved in the House of Commons, but which should contain some difference in language, which I thought, upon constitutional grounds, and upon other grounds, it might be advisable to make, without introducing any matter that might be deemed objectionable to your Lordships, especially to those by whom that Resolution must have been approved. I have conferred, however, with the noble Earl opposite; and, he approving rather of the words which he himself has prepared as the draft of a Resolution, I certainly shall not give this House the trouble of dividing, or entering into any violent or warm discussion, on the subject, provided the noble Earl, on reconsideration, thinks that the form of words, to which I see no strong objection, is calculated to convey the meaning which we all desire to express, in the least objectionable terms. I shall read the Resolution which I have prepared, and which I had intended to offer to your Lordships, provided it had been accepted. But this I think it right to say if I find myself driven to come to a contest in this House, and to a hostile controversy and division, I shall certainly think it my duty to take a stand on the Resolutions passed by the House of Commons. I shall not have foregone the advantage which I think I shall have had, of being supported by the high authority which passed those Resolutions; nor should I have abandoned them except for the chance of obtaining that which I wish so much—namely, a unanimous vote of this House. I wish, however, that this matter should not be hostilely moved or discussed at all. I shall not oppose the adoption of the form of words which the noble Earl thinks the most advisable. But it is only proper that I should read to your Lordships the Resolution which I myself have prepared, and which I think most fitting under the circumstances. It is in these words:—

> "That this House acknowledges with satisfaction that the cheapness of provisions, occasioned by recent legislation, has mainly contributed to improve the condition of the country and increase the comfort of the industrious classes; and that unrestricted competition having been adopted, after due deliberation, as the principle of our commercial system, this House is of opinion that it is wise and expedient unreservedly to adhere to that policy."

I confess I see nothing that any noble Lord on either side of the House ought to object to in such a Resolution as this. I only hope that the opinion of this House may be recorded in a satisfactory manner on this question. I do not wish to make any repetition of any of the hostile controversies we have had on the subject. All I thought it my duty to do was, in a constitutional point of view, to see that, at a time when Parliament was assembled to pronounce their opinion on a great question, the opinion of this House should be taken, as well as the opinion of the other House of Parliament. I thought it right in a constitutional point of view; and I only wished to submit such a Resolution to your Lordships as I could concur in without any dereliction of principle, and as noble Lords with whom I formerly differed in opinion on this question might concur in without any feeling of pain; and I shall be content that the opinion of this House shall be recorded in any language that fully recognises the policy on which the country has entered.

The EARL of DERBY: My Lords, I must, in the first place, express the satisfaction which I have felt at the calm and temperate manner in which the noble Marquess has treated the question of which he had given me notice, that he intended to bring it under your Lordships' consideration. The subject is one on which, in the position in which the country is now placed, I am bound to say that my wish is in accordance with that of the noble Marquess—that, if it is to be decided by a Resolution of the House, it shall be decided by a Resolution couched in such terms as will have the least possible chance of giving rise to a conflict of opinions among your Lordships. I might not, perhaps, myself have taken very great objection to the terms of the noble Marquess' Motion, because I believe that, undoubtedly, combined with other causes, the cheapness of provisions occasioned by recent legislation has contributed to increase the comforts of the labouring classes and of the working classes generally: yet, I think it more desirable that we should not raise discussion—invited by these words of the noble Marquess—by going back to the question as to what degree or to what extent that cheapness of provisions has been the main cause of the increased comfort of the labouring classes. Beyond that, however, the noble Marquess assumed that there is a great increase in the prosperity of the country generally. My object is to couch the Resolution in such terms as would recognise to the fullest extent the adherence of your Lordships' House to the principle now sanctioned by the vote of the House of Commons, and which I am bound to say has also been sanctioned by the general opinion of the country; and at the same time to avoid entering on any topic with regard to the past that could by possibility raise any controversy. I apprehend the noble Marquess and those who act with him are desirous most firmly to secure the adherence of this House to that policy which I am bound to say the country has, by a large majority, signified its determination to uphold; and I am satisfied that the noble Marquess' object will be best effected by dealing with the future only, provided the terms of the Resolution are as clear and definite with regard to the future as he has done me the honour to say he considers the words to be which I have suggested. The terms which I propose should be submitted to your Lordships' consideration, and which I will be happy to place in the hands of the noble Marquess, in order that he may, if he thinks fit, move them as a Resolution brought forward by himself are these:—

> "That this House, thankfully acknowledging the general prosperity, and deeply sensible of the evils attending frequent changes in the financial policy of the country, adheres to the commercial system recently established, and would view with regret any renewed attempt to disturb its operations or impede its further progress."

It appears to me that this Resolution contains as unreserved and distinct an adoption of the existing commercial policy as noble Lords opposite can desire; while at the same time it is likely to obtain the concurrence of those who doubted the expediency of the recent change in the first instance—who doubted the policy of the measure of 1846—who, even now, if the controversy were to begin again, might desire to see a different policy adopted, but, who, nevertheless, being sensible of the evils which must result from constant changes in our financial system, will readily acquiesce in the continuance of a system established seven years ago. The introduction into the Resolution of unnecessary allegations can have no other effect than to keep alive a feeling of irritation and disquietude in the country. On these grounds, I submit my Resolution to your Lordships, and I am glad to hear that the noble Marquess is not unwilling to adopt it in lieu of his own. It is for him to determine whether he will move it now, or give notice on the subject. I cordially join with the noble Marquess in wishing that, from this moment, the controversy as to the relative merits of protection or free trade may be put an end to, and that no attempt may be made to disturb the system recently adopted.

The MARQUESS of CLANRICARDE: I accept the noble Earl's words instead of my own Resolution. Personally I should prefer moving the noble Earl's Resolution immediately; but, looking to the importance of the subject, I do not think it would be right to deviate from the usual course. I therefore give notice that I will move the Resolution on Monday, but I shall not think it necessary to address your Lordships, nor do I anticipate that any discussion will arise.

The EARL of ELLENBOROUGH: I wish the noble Marquess would reconsider his determination, and move the Resolution at once. If he postpones it to Monday, there may be a debate; but if he moves it now, there will be none at all. I think both Resolutions equally unnecessary, and would rather avoid a useless debate.

The EARL of DERBY: I am not sure whether the noble Marquess has decisively made up his mind as to whether he will move the Resolution now, or give notice for Monday. As far as I am concerned, I think there is a great deal of good sense in the observations of the noble Earl who spoke last.

The Marquess of CLANRICARDE: I am far from dissenting from the noble Earl's last sentence; but I think it is desirable not to depart from the rule observed under ordinary circumstances. I think that on so serious a subject, and one which occupied the attention of the other House for several nights, it would hardly be in keeping with the dignity of the House to move the Resolution without notice. Besides, the proceeding might be drawn into a precedent, and noble Lords, founding themselves on it, might move Resolutions of great importance without previous notice.

The Earl of DERBY: As the noble Marquess has referred to precedent, I beg to express a hope that the length of the discussion in the other House may not be taken as a precedent by your Lordships.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Thursday, December 2, 1852.

Minutes.] Public Bills. — 1° Parliamentary Electors; Commons Inclosure.

PARLIAMENTARY REFORM.

Mr. HUME said, he would take the liberty of asking the right hon. Gentleman the Chancellor of the Exchequer, whether it was the intention of Her Majesty's Government to introduce any measure for the Extension of the Franchise, the Protection of the Voters, and the Equalisation of the number of Electors to the number of Representatives?

The CHANCELLOR of the EXCHEQUER, rising with the hon. Member's question in his hand, said: Mr. Speaker, whenever "it is the intention of Her Majesty's Government to introduce any measure for the Extension of the Franchise, the Protection of the Voters, and the Equalisation of the number of Electors to the number of Representatives," they will think it consistent with their duty to give a formal notice to the House of that intention; but it would not be respectful to the House, that any intimation of such an intention on their part should be first made to the country in answer to a mere inquiry coming to us from a private Member, without any more formal notice than I have received to-night.

Mr. MILNER GIBSON: Is it the intention of the Government to submit to Parliament the same measure which they introduced at the close of the last Session, for allocating the four seats now vacant to new constituencies, and which measure the Government then considered to be one of great urgency?

The CHANCELLOR of the EXCHEQUER: I consider that question also to be a portion of the great subject of "progressive reform," and I prefer giving a more formal notice of the intentions of the Government than that which is to be elicited under the circumstances which have just taken place.

UNIVERSITY REFORM.

Mr. PHINN said, he would beg to ask the right hon. Secretary of State for the HomeDepartment, whether, in consequence of the Report of the Cambridge University Commissioners in reference to King's College, Cambridge, Her Majesty's Government were prepared to recommend to the authorities of Eton College to concert measures with the Provost and Fellows of King's College, for the improvement and extension of the two foundations?

Mr. WALPOLE, in reply, said, that a Copy of the Report of the Commissioners had been sent to the University, and to the Heads of the several Colleges in the University, with the request that they would make their observations upon that Report either as affecting the University generally, or the Colleges separately. With regard to the question to which the hon. Gentleman more immediately referred, it was perfectly true that the College of Eton, as mentioned in the Report, was intimately connected with King's College—he had, therefore, thought it proper to send a Copy of the Report to the authorities at Eton, in the same way as he had sent it to King's College; and when he had received their observations upon it, he should be prepared to state what course he might deem it necessary to take upon the subject.

Sir De LACY EVANS gave notice, that in the event of any measure being introduced by the Government for the allocation of the four seats now vacant in that House, he should propose that those seats be given to the metropolitan districts of Chelsea and Kensington.

THE MAGISTRACY OF DERBY.

Mr. HINDLEY said, in the absence of the right hon. Member for Derby (Mr. Bass), he would repeat the question which that Gentleman put to the right hon. Home Secretary on Monday—namely, whether, within the last few days, the Lord Chancellor had placed on the Commission of the Peace for the borough of Derby, Dr. Hilett, Mr. Lewis, and Mr. Henry Fox, all ardent supporters of the hon. Gentleman opposite (Mr. Horsfall)?

Mr. WALPOLE, in reply, said, if there were any feeling of a want of confidence in Her Majesty's Government, or any complaint to be made with regard to their appointments to the magistracy, let it be expressed openly and directly. He had made inquiries of the Lord Chancellor with respect to the appointments referred to, and the noble and learned Lord had informed him, that, after receiving a memorial from the inhabitants of Derby, he had appointed to the Commission of the Peace there three of the most respectable persons in that town, in lieu of three persons who did not qualify last year when they were appointed by the Government of the noble Lord opposite (Lord John Russell).

PARLIAMENTARY ELECTORS BILL.

Sir De LACY EVANS moved for leave to bring in a Bill to extend the period for payment of rates and taxes for the Elective Franchise. By the Bill of last year on the subject, as it passed the House of Commons, it was provided that the payment of the rates should be made as enacted by the Reform Bill, on or before the 20th of July in each year, but that the rates so to be paid should be not those which had fallen due on or before the 5th of April previously, but those which had fallen due on or before the preceding 6th of October. In the House of Lords, however, the period was altered from the 6th of October to the 5th of January, and with the date so altered, the Bill was eventually passed. The Bill he now asked leave to introduce was to extend the period backward from the 5th of January to the 10th of October. The principle of the Bill had been repeatedly affirmed by the House.

Mr. WALPOLE said, that if the object of the Bill was still to require the payment of the rate on or before the 20th of July, but that the payment then made must be in respect of rates due in the preceding month of October, instead of the month of January, as required by the Bill passed last year, he did not see any objection to its introduction, though he reserved to himself the right of opposing it on a future stage, should he consider it necessary so to do.

Mr. T. DUNCOMBE said, he was convinced that the Bill would be unsatisfactory to the country. In fact, he regarded the proposal of the hon. and gallant Member (Sir De L. Evans) as altogether a retrograde movement. The objections of the public were directed against the whole of the ratepaying clauses of the Reform Bill. They contended that Borough electors ought to be put upon the same footing as County electors—that the payment of rates was no condition for the registration of the latter, and that it ought not to be so for the former. He condemned the Bill as a retrogressive measure, because the measure introduced by the noble Lord the Member for the city of London (Lord John Russell) last year abolished the payment of Assessed taxes as a condition of registration; and the noble Lord was, therefore, in point of fact, in advance of the hon. and gallant Member. The hon. and gallant Member might bring in his Bill if he liked, so far as he (Mr. Duncombe) was concerned; but he must enter his protest on the part of the public that it was only trifling with and frittering away a greater and much more important question.

Leave given.

Bill *ordered* to be brought in by Sir De Lacy Evans and Sir John Shelley.

Bill read 1°.

BUDDHISM—CEYLON.

Mr. HUME said, he rose to move for Copies of the Correspondence respecting Buddhism not printed by the Committee on Ceylon Affairs in the Appendix to their Reports. The question put by the hon. Baronet the Member for the University of Oxford (Sir R. H. Inglis) a few nights ago upon this subject was one of great importance, and his (Mr. Hume's) anxiety was to prevent the evils that might follow from the violation of any treaty with the natives of Ceylon. He wished these documents to be laid before the House, so that hon. Members might have time to consider how dangerous it would be if any individual, however zealous he might be for promoting Christianity, were to interfere with the religious ceremonies of the natives of Ceylon.

Motion made, and Question proposed—

"That there be laid before this House Copies of all the Correspondence respecting Buddhism and the Buddhist Priests, laid before the Select Committee on Ceylon Affairs, and not printed by the Committee in the Appendix to their Reports."

Sir JOHN PAKINGTON said, he fully concurred in what had fallen from the hon. Member (Mr. Hume). He had stated, in answer to the question from his hon. Friend the Member for the University of Oxford (Sir R. H. Inglis), and he had thought it right so to state from what he knew had been stated to the contrary in Ceylon and in this country, that he felt we were bound by treaties, and that whatever course might be taken out of just and proper consideration to the feelings of the Christian part of the community, we were bound to recollect our treaty obligations, and to carry them out in a fair spirit. The hon. Gentleman (Mr. Hume) had expressed his anxiety as to the danger of interfering with the Buddhist people on the subject of their religious ceremonies; and he agreed with the hon. Gentleman that, if there was to be any interference, it should be exercised with the greatest care and caution. But, as regarded the immediate object of the hon. Member, namely, the production of the particular papers for which he had moved, he begged to state that he had felt it to be his duty to make himself acquainted with the contents of those papers. The hon. Member had been a member of the Ceylon Committee, and he no doubt recollected the grounds upon which the Committee drew up their Report and withheld these papers. He (Sir J. Pakington) had not himself been a member of that Committee, consequently the hon. Gentleman must be more conversant with the circumstances than he could possibly be; but he would remind the hon. Gentleman that it was because of the events which had then recently occurred, and the state of excitement which prevailed upon the question, that the Committee thought it prudent not to publish these papers in their Report. The state of things which had induced the Committee to exclude the papers from their Report had now, however, passed away, and, so far as that was concerned, there was no obstacle in the way of producing them. Generally speaking, he was always anxiously desirous of furnishing information to the House to the utmost extent in his power; and with regard to these papers he should entertain no objection to produce them; but he appealed to the hon. Member to do him the honour of remembering the announcement he made a few evenings ago, that he had given his anxious attention to the subject with the view of putting an end to the differences and unseemly excitement that prevailed in Ceylon with regard to it, and that he was now about to communicate with the Colony in the sanguine hope that a plan might be suggested which would do no injustice to the Buddhists themselves, whilst it would maintain our treaty obligations, and satisfy the just scruples of the Christian portion of the community in the island. He put it to the hon. Gentleman, therefore, knowing, as he did, what were the contents of these papers, whether their production at this moment might not tend to revive excitement both in this country and in the Colony, and thereby do much to mar the attempt he was making to effect a complete and final settlement of the whole matter. He should have no objection hereafter to produce the papers; but he trusted after what he had stated, the hon. Gentleman would not press for them now.

Mr. HUME said, he had to express his perfect satisfaction at the frank explanation of the right hon. Baronet the Colonial Secretary. The right hon. Baronet having distinctly stated that the solemn treaties entered into with the Kings of Kandy would be respected by the Government of this country, he (Mr. Hume) had attained the only object he had in view, and would, therefore, withdraw his Motion.

Motion, by leave, *withdrawn.*

THE IONIAN ISLANDS.

Mr. HUME said, he now had to move for Copies of the Correspondence between the Secretary for the Colonies, and Sir Henry Ward, Lord High Commissioner of the Ionian Islands, since February, 1852. He thought the right hon. Baronet the Colonial Secretary could have no objection to the production of these documents, particularly as, on a previous occasion, he expressed his readiness to afford every information on the subject. Within the last three years no fewer than sixty-eight persons had been "relegated," as it was styled, but which meant "banished" by the police from the Ionian Islands. He had felt it his duty to move for these papers last year, but they were never produced, until after Parliament had been dissolved. Since then a new Parliament had been assembled, and prorogued by the Lord High Commissioner of the Ionian Islands. In fact, no Government whatever existed in those dependencies, save the will of one man. When these papers were produced, he would be prepared to show that acts of most brutal absolutism and ferocious tyranny had been perpetrated by Sir Henry Ward, which were more atrocious, and reflected more discredit upon the character of the British Government, than any conduct pursued by the Austrian Government towards the Hungarians. The Ionians had a free constitution when they were placed under the protection of this country by the Treaty of Paris in 1815, and it was unjust to deprive them of it. He was anxious to have these papers laid upon the table of the House, so that every Member might have the papers in his own hand, and not take the facts contained in them merely upon his statement. It would be his duty upon an early occasion to call the attention of the House to those papers.

Motion made, and Question proposed—

> "That there be laid on the table of the House Copies of the Correspondence between Sir John Pakington, baronet, Secretary for the Colonies, and Sir Henry Ward, Lord High Commissioner of the Ionian Islands, since February, 1852, when Sir John Pakington assumed office, including the Correspondence with the banished Members of the Legislative Assembly of the Ionian Islands respecting the terms proposed to them for their liberation from exile:
>
> "And, of the Protest by the Members of the Legislative Assembly respecting the Prorogation of the newly-elected Assembly at its first meeting (in continuation of Parliamentary Paper, No. 567, of Session 1852)."

SIR JOHN PAKINGTON said, he heard with very great satisfaction one statement of the short speech of the hon. Member for Montrose—and which he hoped the hon. Gentleman would not forget—namely, that on obtaining those papers he was determined to bring the question before the House. He was perfectly ready and willing to produce the papers moved for, and had the hon. Gentleman asked him for them privately, he should have been just as ready and as willing to have placed them at his disposal. The hon. Gentleman, however, could not forego the opportunity which the Motion gave him of repeating those attacks on Sir Henry Ward and the Government of the Ionian Islands which he had already made on two occasions, in language equally harsh and equally unjust with that which he had chosen to employ that evening. It was but justice, however, to Sir Henry

Ward to state that upon one occasion, when the hon. Member made an attack upon that Gentleman relative to his conduct in the administration of his Government, he had only found thirteen Gentlemen to support him. He (Sir J. Pakington) had brought down to the House some of the Correspondence to which the hon. Gentleman alluded. With regard to the banished members of the Legislative Assembly, he wished, in common justice to Sir Henry Ward, to read one or two extracts from the Correspondence, in order to show the real character of the conduct of Sir Henry Ward towards them, and how far it was from meriting the character of absolutism which the hon. Gentleman, in so off-handed a manner, ascribed to it. Signor Domeneghini was one of the gentlemen so banished. To an interposition in his favour, on the part of his wife, what was Sir Henry Ward's reply—that of the ferocious tyranny imputed to him by the hon. Gentleman? Let the House judge:—

> "I shall be ready and happy to release Signor F. Domeneghini, whenever he thinks proper to comply with the conditions which I have felt it to be my duty to propose, by giving me his word that he will abstain from seditious attempts for the space of twelve months."

So that if he only promises to be a good boy for the space of twelve months, he will obtain his full liberty. In the next despatch Sir Henry Ward then wrote with regard to the relegated members generally:—

> "I took advantage of the farewell visits paid to me by all those members who have any pretensions to a character for moderation to make a fresh offer to the gentlemen now in confinement under the high police power at Cerigotto, through the medium of Count Lunzi and Signor Corrianiti, two of the members for Zante. I was sincerely in hopes that the Session would not have terminated without a law being passed that would have enabled me to put an end to all questions connected with high police. But as this expectation has not been realised, I must now decide what course to take respecting these prisoners, and I have resolved to propose, once more, to release them, provided they will give me their word to abstain from taking an active part in politics for twelve months."

Next, there was the case of Signor Montferrato; and here he (Sir J. Pakington) would state to the House not only Sir Henry Ward's proposition to the banished Member, but also the answer which that Gentleman thought proper to return:—

> "Before I set out on my visit to the southern islands, I had the honour to inform you that I had directed my secretary, Mr. Fraser, to acquaint

Signor Montferrato, who was relegated to the island of Merlera under the high police power in October, 1851, that I was willing to allow of his return to Cephalonia upon a simple promise that he would abstain from taking any part in political agitation for the next twelve months. In making this proposal, I neither asked nor expected from Signor Montferrato any renunciation of former opinions, but made the condition of his release analogous to what would be termed in England, in the case of a man convicted of seditious practices, entering into his personal recognisances to keep the peace for one year. As Signor Montferrato, in his reply, which I have the honour to enclose, not only rejects this very reasonable proposal, but tells me plainly that 'as soon as he is freed from the bondage of high police, he shall devote all his energies to the prosecution of the work so violently interrupted until it is brought to its legitimate end—the liberation of his country,' I have no alternative but to leave him where he is, until he learns to entertain more rational views."

These extracts would, he thought, convince the House that the object of these seditious enterprises was really to throw off the authority of Her Majesty, and to establish some other form of government. Now, as to the remonstrance of the Parliament, which had not long ago been brought under his consideration, he was surprised to see that it had only received three signatures; but, upon looking to Sir Henry Ward's despatch, he found a full explanation of this significant fact. Parliament there was constituted of several parties, as it was in this country, who had all joined for party purposes to resist the Government measures; but when the remonstrance came to be signed, there were only found three persons who would join in the particular form of words in which it was drawn up. The ultra-liberal party would not agree to any form of remonstrance, as they believed, by subscribing to a document of that kind, they would be acknowledging the authority of the Crown of England, which they were by no means willing to do. Now, this showed how necessary it was to exercise caution in dealing with these gentlemen; and if the hon. Member for Montrose had applied to him in private, instead of making a public attack upon the Governor, he (Sir J. Pakington) would have at once assented to the production of the papers, and have shown him that the conduct of Sir Henry Ward, instead of having deserved censure, entitled him to great praise for his extreme moderation.

Lord JOHN RUSSELL said, he was glad that the right hon. Gentleman the Colonial Secretary had taken the present opportunity to defend the conduct of the Lord High Commissioner of the Ionian Islands. For his (Lord John Russell's) part, he thought that the Governors of distant dependencies, who were called on to act in cases of difficulty, were entitled to have their case fairly stated by those who were entrusted with office at home, and that they should not be subjected to misrepresentation. He owned, therefore, that he was extremely pleased to find that the right hon. Gentleman had discharged his duty in this instance with such alacrity and with such ability. It ought always to be recollected that those persons who were opposing the Government in Zante were not opposing it for the sake of obtaining more liberty under that Government, but for the purpose of severing the connexion between them and the British Crown, and placing themselves under some other form of government. It ought also to be recollected with respect to the powers of high police, Sir Henry Ward had offered to relinquish them upon exceedingly liberal terms. These persons so complaining were only endeavouring to incite the people to insurrection against British authority, and Sir Henry Ward had erred rather upon the side of too great liberality than from any desire to exercise any undue authority.

Mr. HUME said, he was very glad that the noble Lord (Lord John Russell) had spoken, because he and the Government were all in the same boat upon this subject: one was as bad as the other. Sir Henry Ward had offered to give up the powers of high police if they would give up the liberty of the press, and publish only what he pleased. This was the proposition which he had made to the Ionian Parliament; and because they had refused it, he had prorogued them. They were quite right not to give up the palladium of their liberties. Sheridan, in one of his eloquent speeches, said, "Give me the liberty of the press, and I care not what you do—I will meet the strongest opposition." So far as to asking questions, they were all witnesses how he had been treated already. He would not expose himself to any insult, and all his questions should be put publicly. He pledged himself within ten days after those papers were laid upon the table of the House to bring the matter under its consideration. As to thirteen Members only voting with him, he would remind the right hon. Gentleman that in 1829 he proposed the repeal of the Corn Laws, and upon that occasion he was left in a minority of thirteen. He had, however, lived to see that Motion carried.

Motion *agreed to.*

RAILWAY AND CANAL BILLS.

Mr. WALPOLE said, in the absence of his right hon. Friend the President of the Board of Trade, he had to move for a Select Committee to consider the principle of amalgamation as applied to Railway or Railway and Canal Bills about to be brought under the consideration of Parliament.

Motion made, and Question proposed—

"That a Select Committee be appointed to consider the principle of Amalgamation as applied to Railway, or Railway and Canal Bills, about to be brought under the consideration of Parliament."

Mr. ELLICE would suggest that the right hon. Gentleman should state the extent to which he proposed that the inquiry should be carried on in the Committee.

Mr. GLADSTONE said, he thought it would be very desirable to extend the terms of the Motion. There were other means of effecting amalgamations besides Amalgamation Bills, and other proceedings which attained the same purposes as Acts of Parliament. It was desirable the Committee should consider the whole of them.

Mr. WALPOLE said, that it would probably be better, in the absence of his right hon. Friend, to postpone for the present the appointment of the Committee.

Mr. EVELYN DENISON said, he thought it very desirable that they should know what course was to be adopted on this subject. If, on the one hand, it were inconvenient to move the Committee now, on the other hand there would be great inconvenience in the postponement of the Motion for any considerable time. He almost thought that the general convenience of the House would be best promoted if the right hon. Gentleman would move for the Committee that evening, and would take some other opportunity of explaining the views of the Government as to the course they would pursue.

Mr. WALPOLE said, he was not aware of the details of the measure which his right hon. Friend the President of the Board of Trade was to have proposed; and, as there seemed to be some doubt whether the terms of the Motion were sufficiently extensive, he thought it would be better not to press it at that time, though he saw no objection to the suggestion of the right hon. Member for the University of Oxford (Mr. Gladstone).

General ANSON said, that it was his opinion that the scope of the Motion should be much more extensive than it was now proposed to be. He should be glad to have the whole subject of the future legislation with regard to railways submitted to a Committee. There were nearly two hundred Bills coming before the House for amalgamation purposes, or running powers, and he viewed it as of the utmost importance that the House should undertake the question, and that they should not be afraid to grapple with it, but should lay down some principle to guide those great companies, the directors of which were frequently unjustly attacked and accused of a monopolising spirit, when their only object was to afford a fair security to those who had invested their money in these undertakings. It would be quite as well, in his opinion, to defer the Committee for a day or two, and in the meantime the Government might consider whether it would not be better to make the Motion even more extensive than the terms proposed by the right hon. Member for the University of Oxford (Mr. Gladstone.) He had no objection to the Committee considering the questions of amalgamation and of leases and agreements, because, in point of fact, they were one and the same thing.

Mr. ELLICE said, he had had some experience of this matter in former Committees, and he knew that, unless the Government stated for the consideration of the House the policy that was to be submitted to the Committee, their labours would be of very little use indeed, so far as any practical result was concerned.

Mr. GLADSTONE entirely concurred in what had just fallen from his right hon. Friend the Member for Coventry. If the Motion for the Committee were agreed to, he took it for granted that the right hon. President of the Board of Trade would be ready to state the views of the Government before the names of the Committee were determined on; because it was quite certain, if there were one question more than another on which the House most absolutely required the guidance and assistance and restraint and control of the Government, it was the question of railway legislation. The Government and the House together had made but a very indifferent affair of it heretofore, and if a Committee were to attempt to go into the question without a previous declaration of the policy to be adopted, they would become an instrument of mischief rather than of good.

Mr. WALPOLE said, under these circumstances, he would rather not move the Resolution at present.

Lord JOHN RUSSELL presumed that the right hon. President of the Board of Trade would be ready to state what his views were when he proposed the Committee.

Mr. WALPOLE said, no doubt he would. His right hon. Friend intended to have done so that evening if he could have been present.

Motion, by leave, *withdrawn.*

The House adjourned at Six o'clock.

HOUSE OF LORDS,

Friday, December 3, 1852.

Minutes.] *Took the Oaths.* — Several Lords. *Sat First in Parliament.*—The Lord Worlingham, after the Death of his Father.

NATIONAL EDUCATION (IRELAND).

The Earl of CLANCARTY said, he had a question to put to the noble Earl at the head of the Government on a subject of very great importance to Ireland. A petition was presented a few evenings ago from a Presbyterian body in the north of Ireland, approving of the present system of national education in Ireland, and expressing a hope that no alteration would be made; and the noble Earl who presented that petition (the Earl of Clarendon) gave expression to the hope that the noble Earl at the head of the Government would state what his views were on the subject of the petition. The noble Earl was reported to have said in reply, that it was not the intention of the Government to make any change in that system of education. Now, he begged to state that there was a strong opinion on the part of a large body in Ireland, that some change in the system was extremely necessary. He believed that four-fifths of those connected with the Established Church were disinclined to co-operate in carrying out the existing system. They had strong conscientious scruples against doing so; and, for the purpose of bringing the sysem into full harmony with the religious institutions of the country, it appeared to him that it was most important that inquiry into its operation should be entered into with a view to ascertain what amendments could be advantageously introduced into it with that object. If it was thought, as had been more than once stated, that no alteration would be desirable without full inquiry, he would recommend to the Government that they should allow the case to be inquired into, in order that such changes might be made as were advantageous, and the system of education brought more into harmony with the form of Church Establishment in that country. Perhaps the noble Earl would state what were his views upon this point?

The Earl of DERBY said, it was with great satisfaction that he had an opportunity of answering once again a Parliamentary inquiry put by the noble Lord, whose absence from that House had been a matter of regret to all who ever had the pleasure of listening to him. If the noble Earl had been in the House a few days ago, he would have heard the answer which he gave to a noble Earl on the other side upon this subject, namely, that having looked into this question, together with his noble Friend the Lord Lieutenant of Ireland, with an anxious desire to meet the conscientious objections of those who differed from the existing system of education, they were unable to see their way to any measure that would attain that object, without at the same time endangering the stability of the present system—that this they would regard as a great evil; and consequently that the Government were not prepared to bring forward any measure for an alteration of the existing system. But, if his noble Friend intended to ask him if he would agree to an inquiry into the working of the system, his reply was, that if inquiry was desired, either in that or the other House of Parliament, by any considerable number of their Lordships, or Members of the other House, and if a Motion were made to that effect, he had no hesitation in saying that he should have no objection to grant a Committee; and he thought that some advantage would be derived from the fullest information being afforded as to the practical working of the system in all its details.

House adjourned to Monday next.

HOUSE OF COMMONS,

Friday, December 3, 1852.

Minutes.] Public Bills. — 2° Commons Inclosure.

Reported.—West India Colonies, &c., Loans Act Amendment.

CASE OF LEOPOLD DE ROSE.

Lord DUDLEY STUART begged to ask the right hon. Secretary of State for the

Home Department what had been the result of the inquiry undertaken by the Government into the case of Leopold de Rose, a Polish officer, who was imprisoned in Winchester gaol at the instance of Captain Cospatrick Baillie Hamilton, R.N.

Mr. WALPOLE, in reply, said, that after reading the evidence adduced at the committal of Mr. De Rose, he believed the magistrate could not have come to any other decision than that he had arrived at. At the same time, it was due to Mr. De Rose to state that, judging from communications subsequently received, and from new facts which had transpired relative to the case, he must say that he wished those facts had been brought under the consideration of the magistrate, the result of which, he believed, would have been that Mr. De Rose would have been acquitted of the charge then brought against him.

THE CLERGY RESERVES IN CANADA.

Sir WILLIAM MOLESWORTH said, in putting to the right hon. Secretary of State for the Colonies the question of which he had given notice, he must first ask whether the right hon. Gentleman had received an Address to the Crown to which the House of Assembly of Canada agreed on the 17th of September last, by a majority of fifty-four to twenty-two, and in which they assured Her Majesty that they deeply regretted to learn the contents of a despatch, in which the right hon. Baronet had stated that it was not the intention of Her Majesty's present Government to fulfil a promise which had been made to the Canadian Legislature by the late Government. That promise was, that Her Majesty's Government would recommend to Parliament that an Act should be passed to enable the Canadian Legislature to dispose of the proceeds of the Clergy Reserves, subject to the condition that the vested interests of persons should be secured during their lives. He wished to ask what were the present intentions of Her Majesty's Government, and whether they intended after Christmas to recommend to Parliament the measure which he had just described?

Sir JOHN PAKINGTON begged to say, in answer to the first question of the hon. Baronet, which had not, however, been mentioned in the notice-paper, that he had received from Canada the Address to which the hon. Baronet had referred, and which was founded upon certain Resolutions which had been adopted by the House of Assembly. He had no objection to proceed to answer the second and more important question of which the hon. Baronet had been kind enough to give him ample notice; and he begged to state to the House that he felt very great regret that the forms of the House precluded him from accompanying his answer to that question with the explanation which it would be strongly his desire to give on this subject. Bound, however, as he was by those forms, he would only state to the hon. Baronet that Her Majesty's Government had given the fullest and most anxious consideration to this difficult and important subject, and to the whole of the circumstances under which the question had been forced upon their attention; and his answer was, that, considering that this was essentially an Upper Canadian question, and that the Representatives of Upper Canada were as nearly as possible equally divided upon the subject; considering that the majority who had carried the Resolutions to which the hon. Baronet had referred consisted in a large proportion of Roman Catholic members of the lower province, whose religion had been amply and munificently endowed; considering that the Act of 1840 was proposed and accepted by all parties as a final settlement of this long-discussed and most difficult question; considering, above all, that that Act of 1840 was part of the arrangements which attended the Act of Union, and was intended to guard against those dangers to Protestant endowments which were dreaded at the time of the Act of Union;—considering all these circumstances, it was not the intention of Her Majesty's Government to introduce any Bill for the purpose of repealing the provisions of that Act.

Sir WILLIAM MOLESWORTH said, he should then give notice that, immediately after the Christmas recess, he should move for leave to bring in a Bill to enable the Legislature of Canada to dispose of the proceeds of the Clergy Reserves, subject to the condition which he had just mentioned.

SUPPLY—THE BUDGET.

Order for Committee read.

The CHANCELLOR of the EXCHEQUER: Sir, though the House has been pleased to honour the remarks which I have to make to-night with the title of "Financial Statement," and though I am indisposed, under any circumstances, to quarrel with the humour of the House, still I trust that hon. Members will have the kindness to recollect that it is a financial statement which has to be made under very peculiar circumstances; and, Sir, although we have, with respect to our finances, to consider to-night some very important topics—whether, for example, it is possible to make such changes in the mode of levying our revenue as may contribute more to the satisfaction and welfare of the community; whether such alterations can be effected in our method of taxation as may remove from various classes not an ill-founded sense of injury and injustice; and, above all, whether we may not take this opportunity of establishing our financial system upon principles more adapted to the requirements of the times, and especially to the industry of a country pre-eminent for its capacity for labour—still, besides these, there are other topics to which I must advert, and which are not strictly of a financial nature. I hope the House will also remember that, even considering the remarks I have to offer to their consideration merely in a financial point of view, at the present moment we are only arrived at the completion of about two-thirds of the financial year—a circumstance which naturally adds to the difficulty I have to contend with. I hope, therefore, that under these circumstances hon. Members will not think it any evidence of conceit or affectation on my part if I do not on this occasion rigidly follow that routine form of exposition which a Chancellor of the Exchequer usually adopts at the termination or commencement of a financial year, when his duties are comparatively limited, and, I may say, comparatively simple; but, if I deviate from that course, I trust that they will attribute my proceeding to no other motive but a desire on my part, in dealing with these various important, and, in some cases, complicated subjects, to explain clearly to the House the views of Her Majesty's Government upon subjects of such great importance, and, so far as I have to touch upon the point, their opinion on the condition of the country. Sir, the task I have undertaken is, as the House is well aware, not a light one under any circumstances, and even under ordinary circumstances requires an appeal to the indulgence of the House. I am sure to-night I shall receive its generous indulgence; and the only favour I presume to ask of hon. Gentlemen on either side is, that they will not precipitately decide on any proposition which I may make, but will consider all that I offer as a whole, because as a whole it ought to be considered; and I trust that, in justice to myself, they will not, until the views of the Government are fairly placed before them, be carried away by any feeling of the moment, on whichever side they may sit, too precipitately to decide on the motives and principles of the policy which I may now have to set before them.

Sir, we wished after the event of the last general election, understanding as we did from the result of that election that the principle of unrestricted competition was entirely and finally adopted as the principle of our commercial code—we wished to consider our financial system in relation to our commercial system—to see whether they could not be brought more in harmony together, and whether, in bringing them more in harmony together, we might not remove many well-founded causes of discontent among the people of this country, and lay the foundation of a system which in future should not only be more beneficial, but which should enlist in its favour the sympathies of all classes. Before, however, I take that general view, I think it will be convenient that I should consider the claims of those who believe that by what we now familiarly describe as "recent legislation" they have received peculiar injury. It will, I think, be for the convenience of the House that we should dispassionately consider the position of those classes, and come to an opinion whether their complaints and claims are just or not—because, if we can arrive at some conclusions on these points, those classes who now assert that they have been injured by recent legislation, if their claims are impartially heard, and, if established, fairly met, will then merge in the mass of the community, and we shall hereafter have to consider no other claims than claims which represent the unanimous voice and feeling of the entire nation. Therefore, I repeat, it will not be an inconvenient course if I take the earliest opportunity of examining the claims urged by those great interests which have been peculiarly affected by recent changes in our commercial law—the shipping interest for example, the sugar-producing interest, and the agricultural interest—so far as the latter, irrespective of all other pleas, urges on the consideration of the House the fact that it is subjected to peculiar burdens and taxation. When we have discussed these three important claims—when we have arrived, as I hope we may arrive, at a general, if not an unanimous, opinion on the course we ought to take with regard to them, we shall then have terminated all appeals on behalf of peculiar burdens and grievances; we shall then be able to take an unembarrassed view of our financial position, undisturbed by sectional appeals to our feelings or to our sense of justice, and we may be enabled to arrive at some permanent conclusions, which may form the basis—and the beneficial basis—of the financial system which ought to be adopted and developed in this country hereafter.

Sir, I will, in pursuance of the plan I have thus sketched, proceed to consider the claims that have been urged on Parliament by the shipping interest in respect of the burdens which it endures and the grievances which it experiences—burdens borne under our previous commercial system without any overwhelming sense of their weight—burdens not of a nature, in fact, to require our interposition so long as they were mitigated by the privileges which we have now terminated. I have listened with great attention to all the representations that have been made to me with respect to the shipping interest; and I say now with respect to the shipping interest what I would say with regard to any interest that believes itself subject to regulations and laws entailing on it burdens which other classes of the community generally do not endure—that it will be wise for Parliament to approach the discussion of these matters in a generous spirit. I do not want, and am not desirous myself in any way that we should attempt, by any proposition we bring forward, to conciliate sympathies to which we ought not to defer; and least of all am I anxious that the House of Commons, so far as I can direct its opinion, should, for the sake of silencing a claim which they may not consider just, enter into any arrangement which ultimately they might think was not a sound and proper one; but of this I am certain, that nothing is more unwise, that nothing is more prejudicial to the country generally, than that considerable classes of Her Majesty's subjects should consider that they are liable to regulations which injuriously affect their industry, and from which the rest of the community is free, and that they suffer from the injurious effect of those regulations, in consequence of changes in the law which have universally contributed to the advantage of the remainder of the community. I can conceive no state of society more to be deprecated than one in which there are minorities, but powerful minorities, who believe that they are subjected to injustice, in consequence of changes in the law contributing to otherwise universal welfare. Therefore, it is my opinion that, if there be on the part of the shipping body, or on the part of any other class in this country, well-founded claims to the consideration of Parliament, it is highly expedient, not only in the interest of public morality, but from the most utilitarian considerations that could possibly occur to the most unsentimental minds, that we should enter into these questions, ascertain their merits, and decide accordingly. Now, Sir, with respect to the shipping interest, I may say this on behalf of Her Majesty's Government, that, having investigated with great pains, and listened with great patience to their case, the Government are of opinion that the shipping interest, principally through the consequences of recent legislation—namely, through the repeal of the navigation laws—are at this moment subject to burdens to which they ought not to be liable, and to restrictions which (to use the words of the noble Lord the Member for the City of London) "impede their prosperity." If this be so, and if it be the opinion of the House of Commons that it is so, I think it much better that we should meet that case, difficult as it may be, in a just and liberal spirit, and see if we cannot remedy the complaints of so influential, so important, and so worthy a body as the shipping interest and the classes connected with them. Now, we have examined shipowners and persons in the classes connected with them (all those, indeed, comprehended by the not very accurate but still popular title of the "shipping interest," which title I use because it is one to which the House is accustomed)—we have examined all those persons, and they complain that they are subject to vexatious taxation under the head of light-dues and passing tolls. They complain of the present system by which the pilotage of the country is regulated. They also greatly complain of what they describe as Admiralty grievances—of the circumstances under which an individual belonging to the mercantile marine is enlisted into the Royal Navy; of the system under which salvage is established; and of the regulations under which anchorage takes place. They have great complaints as to the restrictions on the manning of their vessels; as to the stamp duties levied on marine insurances, bills of lading, and charter-parties. Now, if the House will permit me, I will touch on these subjects, and explain what would be, in the opinion of the Government, the manner in which these complaints ought to be met; and, as the recommendations we are about to make are founded, I think, on an impartial and liberal consideration of the whole case, we believe that, if those recommendations are adopted by Parliament, we may fairly say that the just claims of the shipping interest will be satisfied, and that in our future legislation, so far as that interest is concerned, we shall not be disturbed by appeals of a class nature. Now, Sir, with respect to the light-dues, we have examined the subject, and it is our opinion that in a great degree the complaints of the shipping interest are founded in fact. It certainly seems quite indefensible that, irrespective of the dues which they pay for the advantage of lighthouses, which are certainly, as I think, amply and properly supplied in this country, they should be paying in the form of dues a large sum of money, which is, in fact, the interest paid to the Trinity House for the purchase of private lights, which were improvidently granted by the Crown or by Parliament many years ago. As far as that portion of the light-dues which consists of the interest paid on sums advanced by the Trinity House for the purchase of these private lights, it seems to us indefensible that, when the principle of unrestricted competition is established, the shipping interest of this country should be paying a tax not for the lights supplied for their benefit (because for them they pay sufficiently), but in order that improvident grants of former Sovereigns and Parliaments should be counteracted by a peculiar tax raised from them, and in respect to which they get no return whatever. We think, also, that all that which is levied from the shipping interest under the name of "passing tolls" is a vexation, a grievance, and a burden, to which the shipping of this country, under present circumstances, ought not to be subjected. We think it, too, highly inexpedient that, under the name of light-dues, the shipping of this country should be taxed to maintain the charities of a corporation; and, taking these three conclusions to guide us, we shall be prepared to deal with the light-dues as at present existing. We would confine the tax on shipping merely to a payment for that benefit which the shipping receives from the lighthouses; we would relieve the shipping interest from what is paid for the interest upon those loans incurred to purchase private lights; from the contribution to the charities of a corporation, which, however laudable they may be, ought not to be maintained, under present circumstances, by taxing a British ship; and, finally, we would relieve the shipping interest from all passing tolls. Sir, I estimate that this settlement of a long-agitated question will probably cost the country about 100,000*l.* a year; but it appears to me that the claims are just; that it is impossible to resist them, and that they ought to have been considered when the repeal of the navigation laws was agreed to. The next question to which I would refer is the question of pilotage. The system by which pilotage is regulated in this country is extremely anomalous. It is quite unnecessary on the present occasion for me to enter into the origin of these anomalies. The subjects of which I have to treat to-night are so various, and some of them so complicated, that perhaps the House will allow me to say, once for all, that I shall not attempt to enter into any argument on any of them, excepting so far as it may be necessary to do so in order to make my meaning clear. I confine myself to-night to the exposition of the policy of the Government. There will be occasions when in detail we may enter into argument on all these various questions; but at present I consider it my principal and almost only duty clearly to explain to the House the policy recommended by Her Majesty's Government on all these different subjects. I will not, I repeat, enter into the question of the origin of the anomalies of our system of pilotage. The House, I am sure, knows well that a Thames pilot can steer a ship to a Cinque port, but he may not steer it back. Another pilot connected with another corporation performs the duty of returning; and, of course, the shipping interest having to employ two men to perform a duty which one man could discharge, the expense is proportionately increased, and the burden in many cases is found to be excessive. There has been a Committee of the House upon Pilotage, but it is a great many years ago; its investigation, however, is very worthy of attention. But I think, although myself always disinclined to avoid responsibility by proposing Committees, that there are occasions on which a Committee of the House of Commons can effect very great good; and I think it would be very advantageous that upon the whole question of pilotage and ballasting the feelings of a modern House of Commons should be consulted, animated by those views with respect to commercial affairs especially, which probably had not so great an influence years ago—that a Committee of the House of Commons should investigate this subject, and report to the House. It is the intention of the Government to recommend to the House that there should be a Committee appointed to inquire into the whole subject of pilotage and ballasting, and I have myself no doubt that the result of that Committee will be satisfactory. I come now to those grievances which I have described as "Admiralty." The House is aware that when a merchant ship finds herself on a foreign station, it frequently happens that one of the crew, without any ceremony, quits the captain without any notice, and often without any cause, and immediately enlists in a ship belonging to the Royal Navy that happens to be upon that station. This right and privilege act very injuriously upon the discipline and general conduct of the merchant shipping. I am myself most anxious not to diminish the just privileges of the Royal Navy—that force upon which this country mainly depends; and I certainly would not propose any change which would in any way affect the necessary powers of the Royal Navy. But, with respect to this first grievance, which, I believe, from the representations that are made to us, is one of an extremely vexatious character, we propose—while we are prepared to maintain all the necessary privileges in this respect of the Royal Navy—that no man quitting the mercantile marine under such circumstances shall receive his wages, which then are due to him, until the rest of the crew of the same ship are paid off. At present he can, at a moment's notice, notwithstanding his engagement with his master, hoist his red shirt, enlist in the Royal ship that may be in the offing, and demand his wages; and the captain of the merchant ship not only loses one of his crew, but is called upon immediately to pay wages which would not have been due until the vessel arrived in port. We propose, that if he avails himself of this privilege of enlisting in the Royal Navy, he shall not receive his wages until the rest of the crew are paid off. We propose, further, that if by the Royal Navy availing itself of this privilege any injury is done to the captains of merchant ships, the country must be prepared to compensate the captain of the merchant ship for the injury he may thus receive. The next Admiralty grievance which has been brought before us relates to the question of salvage. For the reason which I have already expressed—namely, the necessity of my avoiding as much as I possibly can detail to-night, when so many subjects are under our consideration, I will not enter into the question of salvage, as it affects the mercantile marine. I am quite sure I could state cases to the House as to the operation of the present system under which salvage is conducted which would show that the mercantile marine is grievously affected by it. I think we ought not, however, for a moment to indulge in a feeling that the Royal Navy is to be charged with reprehensible conduct in this matter. I have no doubt, myself, from all I can observe and learn, that the conduct of the officers of the Royal Navy, especially of late years, has been distinguished by a general sympathy with all classes of their countrymen, which cannot be too highly praised. I have no doubt that in the Navy as well as in all departments of life much more humanising tendencies are exerting their influence than there did 25, or 40, or 50 years ago. But the system remains, notwithstanding the increased civilisation of man, and in its operation I fear it will be found that instances will occur when the oppression is considerable. There is no doubt that in this country—notwithstanding our boasted panegyrics of the mercantile marine, notwithstanding the readiness of orators at all times to descant upon the mercantile marine being the nursery of our Navy—there is not the slightest doubt that the mercantile marine has been treated as an inferior service—has not certainly, I may say without exaggeration, been treated in the spirit which becomes a commercial people. But I have no doubt myself that in this affair of salvage, if you contrast the conduct of the Royal Navy at present with what the conduct of the Royal Navy was many years ago, you will find that their conduct has been extremely improved, has been much more considerate, has been often distinguished by great generosity. But the fact remains, that at the present moment even there are instances of the effect of the system of salvage upon our mercantile marine—instances which I have before me now, but with which I will not trouble the House—if I were only speaking upon the question of salvage I would —which convince Her Majesty's Government that the present system of salvage ought not to be encouraged; and, therefore, we are prepared to recommend that it shall entirely cease. I need say very little on the subject of anchorage. That is a regulation that, like salvage, depends, I believe, entirely, upon the Admiralty; and the Admiralty are prepared to say that all vexations of that kind shall also be concluded; and, from henceforth, if our propositions are favourably received, no merchant's vessel will be disturbed in its anchorage by the superior claim of a ship belonging to the Royal Navy.

Sir, there is a subject of paramount importance connected with the shipping interest to which I must now refer; and that is the restrictions which at present exist upon manning the merchant navy. In the opinion of Her Majesty's Government they are restrictions which, in principle, are indefensible. They are very doubtful whether, even in practice, they are beneficial. They think that the time has arrived, or cannot be long postponed, when those restrictions must entirely cease. But we must consider them in deference—I do not say to the prejudices of the country—but in deference to the feelings of large classes, and in deference, in a certain degree, to the circumstances with which we have to deal. We cannot consider the question of manning the mercantile marine in an isolated manner; we must view it with reference to another subject of great importance—namely, the subject of manning the Royal Navy. We trust that we, in due time, shall have to submit to the House measures which will effect a very great change in the system on which the Royal Navy is manned. The House may be persuaded that the time cannot much longer be postponed when that question must be met. Nothing can be more unsatisfactory—I would almost say more irrational—than the system upon which the Royal Navy is manned—a system which dismisses the seasoned seamen, when he is most qualified to do his duty to his country. There is no reason whatever that we should apply to the Royal Navy other principles than those that we apply to the sister service. Indeed, there is every reason why we should render the Royal Navy the most efficient service in the world. The attention of Her Majesty's Government is anxiously directed to this question. We are awaiting now the report of a Committee sitting at the Admiralty upon this important subject. Irrespective of that report, there are many considerations which would make us feel it our duty to bring the question before Parliament. I trust that when the question is brought forward it will be brought forward in a manner satisfactory to the country and this House; and, if the plans which we shall feel it our duty to recommend to the consideration of Parliament be adopted, I think we shall then be justified in terminating these restrictions upon the manning of the mercantile marine which at present exist. But I trust that the shipping interest, feeling, as I hope they will, from the manner in which Her Majesty's Government have met their case, that they are not anxious to evade any question, but only to do that which they think will be of advantage to the country generally, will not press a point of such importance at this moment, when virtually, it is under the consideration of the Government.

I have now touched upon all the points of any importance which are comprised in the case of the shipping interest, except those which relate to stamps upon insurance, bills of lading, and charter-parties; but the House will see at once that these are points which affect the revenue and general taxation of the country, and therefore this is not the time on which I can refer to them. At present I will only make a summary of the measures which Her Majesty's Government are prepared to recommend with reference to the claims of the shipping interest — measures which they recommend with the earnest wish that all real grievances may be remedied, that we shall cease to hear of the claims of a particular interest as subject to burdens and vexations from which the community are free; and that from henceforth, if the measures which I have indicated are carried out in their proper spirit, we shall know of the shipping interest only as a portion of that great flourishing community in which I, for one, hope that all particular interests may for the future be merged. We propose, then, to deal with the question of lights under three heads. We propose to reduce the taxation which is paid by the shipping interest under the claim of supporting the lighthouses of the country—namely, the interest of debt which has been incurred, the contributions to charities, and passing tolls to harbours which ships never enter. We propose to terminate these three great sources of unjust taxation; and we believe that we shall be able to effect this object by the annual sum of 100,000*l.* The shipping interest will then have to pay only for the lighthouses which benefit them—which guide their ships and save their lives; and I am sure they will no more complain of a tax levied upon them for such objects and upon such principles than any other class of the community will complain of the peculiar taxes to which they may be subject, but for which they gain in return peculiar advantages. We propose, in the second place, to submit to the consideration of a Committee of the House of Commons the whole question of pilotage, in order that we may arrive at a result which I am sure will be impartial and satisfactory as well as final. We propose that the three Admiralty grievances of which the shipping interest complain—anchorage, salvage, and enlistment—shall be entirely terminated, or at least subject to regulations which will deprive them of the injustice and injury which are so justly complained of. We propose that the subject of manning shall depend upon the adjudication of Parliament on a still more important subject—and I am sure the shipping interest will not complain of that arrangement; and with regard to the last point—the taxes levied upon them under the head of stamps—that is one which affects the general revenue of the country, and which we will consider when we consider that portion of the general revenue of the country.

Sir, I have now placed before the House the general views of Her Majesty's Government with respect to the mercantile marine of the country, and the claims which it has so long urged upon successive Governments. I propose that we shall now consider the claims of the sugar-producing Colonies; and I hope the House will approach the consideration of this subject with the same temper and impartiality with which they have treated the preceding one. We must forget that sugar has been the battlefield of parties. We must form an opinion upon the condition of those Colonies from the stern naked facts which may be placed before us, and not with any recollection of the past. We may deplore the legislation that is past; we may be of opinion, Gentlemen on both sides, that the conduct of this country towards the sugar-producing Colonies has been inconsistent and incoherent; that great unnecessary damage and devastation have been occasioned; that, as an interest, they have been treated in a wanton and indefensible manner; but what we have to decide to-night is, what in the present state of affairs we can justly do for them. An hon. Gentleman told us the other night that especially on subjects of economy he was not fond of sentiment—and upon no subject, I believe; but a budget, certainly, however various its topics, and however peculiar the circumstances in which it is brought forward, is not an occasion on which Gentlemen should be sentimental. I have now before me what I believe can hardly be called a memorial—but it is an official paper of the West India body; and I can assure them that it is impossible that there can be any individual in this House who would view their just complaints with more ready sympathy than myself. I have expressed on other occasions, here and elsewhere, my sincere belief that the conduct of Parliament to the West India body generally has been such as will afford no emblazoned page in the history of this country. I think their sufferings have been great, and in a great degree have been unnecessary; I think they have been unwisely and unjustly treated; and it is with that feeling that I receive their representations. Now, after a certain statement, with which I will not trouble the House, I have here embodied before me the claims of the sugar-producing colonies for relief from this country. They ask, firstly, that we should arrest the descent of the duties on foreign sugar; secondly, that we should reduce the duties on British plantation sugar; thirdly, that we should guarantee additional loans to be raised by the respective colonies for the purposes of immigration and improvement; fourthly, that we should permit the refinement of sugar in bonded refineries for home consumption as well as for exportation; fifthly, that we should permit the use of molasses in breweries; and sixthly, that we should equalise the duties on rum and British spirits. Now, in the first place, I have to consider whether I can recommend to the House to arrest the descent of the duties on foreign sugar, or reduce the duties on British plantation sugar. I have to consider that question in a Parliament which has been elected to establish and develop the principle of unrestricted competition. I should find, under any circumstances, great difficulty in making such a recommendation; and if I saw the market overwhelmed by foreign productions—if I saw, in consequence of the incoherent and wanton legislation of this country, contradicting their original agreements, and violating their original compact—if I saw ruin falling upon all the sugar-producing colonies of the Crown—I still should probably hesitate before, after the verdict of the country, I could recommend a recourse to differential duties to arrest the progress of such ruin, and to mitigate the suffering the consequence of such legislation. But when I examine the facts, I am not called upon to consider that. When I am asked to arrest the descent of the duties on foreign sugar, and to reduce the duties on British plantation sugar, I naturally inquire what is the state of the market with reference to the production of these two commodities; what is produced by the British plantations which require their duties to be reduced?—what is produced by the foreign plantations, the descent of the duties on which is to be arrested? Is there such evidence before the House and the country of an impossible rivalry between the British and the foreign sugar-producing colonies that would justify a Government under any circumstances in coming forward to Parliament and asking for factitious protection and support to the British sugar-producing colonies? Sir, this is not a subject of sentiment, as the hon. Gentleman said the other night; it can only be decided by a reference to facts. I shall place before the House the facts as they at present exist; and then I will leave the House—Gentlemen on both sides—to form their opinions. By the representation which I have just read, we are asked to believe that the competition between our colonial sugar and foreign sugar is a competition that cannot be endured. We can only infer from the remedies which are recommended that ruin will be the necessary consequence of such a change in the duties not being adopted. But I will ask the House for a moment to attend to the last return which I have here drawn up to the 5th of November, of the quantities of sugar, refined and unrefined, entered for home consumption in the United Kingdom in the first ten months of 1851 and 1852. In that period of 1851 there were entered for home consumption 2,251,000 cwt. of West India sugar; in 1852, 3,094,000 cwt. Mauritius, which sent us in the first ten months of 1851 804,000 cwt., sent us in the first ten months of 1852, 976,000 cwt. The East Indies, which sent us 1,037,000 cwt. to November, 1851, sent us 1,300,000 cwt. in the same period of 1852. Our united colonies, if I may so call them, sent us 4,094,000 cwt. in the first ten months of 1851, and 5,373,000 cwt. in the first ten months of 1852. It would appear, then, from this statement, that there is no necessity whatever for reducing the duty on British colonial sugar; and I now have to see whether we ought to arrest the descent of the duties on foreign sugar. I find that the quantity of foreign unrefined sugar entered for home consumption in November, 1851, amounted to 1,218,000 cwt.; but in November, 1852, instead of being 1,218,000 cwt., the quantity entered for home consumption amounted to only 570,000 cwt. I find, also, that the quantity of foreign refined sugar has been reduced, though not proportionately. In November, 1851, the quantity of foreign refined sugar entered for home consumption was 268,000 cwt.; while in November, 1852, it amounted to only 243,000 cwt. It may be said that these are merely figures; but I beg to observe that, in this instance, figures constitute the case. This is a question of figures, and the result of the figures I have quoted is, that there being, in 1851, 4,126,000 cwt. of British sugar against 1,487,000 cwt. of foreign; in 1852 there were 5,378,000 cwt. of British against only 814,000 cwt. of foreign. In other words, British production has increased by 1,250,000 cwt., and foreign production has decreased by about 600,000 cwt. I may be called traitor, I may be called renegade; but I want to know whether there is any Gentleman in this House, wherever he may sit, who would recommend a differential duty to prop up a prostrate industry which is actually commanding the metropolitan market, under the circumstances which I have placed before Parliament? It is unnecessary to enter into any argument on the point. No person could think of proposing an increase of differential duties except for the attainment of a definite object. If that object be to give the command of the home market to our colonies, it is already attained. As far as the quantity consumed—which must, after all, be the test of the quantity produced—is concerned, it is quite clear that no alteration of duties could do more than our own sugar-producing colonies effect. I will not say that our colonies have effected this result by their superior energy, because I am unwilling to raise any controversy on that subject; but the fact itself admits of no dispute, whatever difference of opinion may prevail as to the causes which have conduced to this state of things. Well, Sir, I am asked to guarantee additional loans to be raised by the respective colonies for the purpose of defraying the expense of immigration and improvement. Now, certainly a more legitimate object of exertion on the part of colonies than the promotion of the immigration of foreign labourers cannot be conceived; and it is one which ought to be encouraged in every suitable way. I am ready, however, to show to my Friends and the House that the Government have not been inattentive to this subject. Our attention, as well as that of the preceding Government, has been called to the subject of Chinese immigration into the British sugar-producing colonies; and we hold it to be one of the utmost importance. Having, unfortunately, a great deal to say upon other topics, I will not weary the House by going into many details on this subject, although they are all of the most interesting kind. Here, however, lies before me a memorandum of what—as far as the present Government is concerned—has been done on the subject of immigration into the West Indian colonies. [Here the right hon. Gentleman read an extract, which stated that Sir John Pakington had appointed a Government agent to superintend measures for the encouragement of Chinese emigration; that this agent was now established at Hongkong; that by his exertions three shiploads of Chinese labourers had been despatched to Trinidad, and that the colony of British Guiana had, on its own account, made arrangements for importing 1,700 immigrants.] Thus it appears that the Government has already despatched three ships with immigrants, and that British Guiana has placed its private machinery in motion, and is about to import 1,700 more; in short, it is clear that Chinese immigration is going on. When, however, I am asked to come forward and sanction further loans to assist this immigration, I must place before the House some facts conected with the question. Let it not be supposed that I dwell too long on subjects which some may conceive to be not of vast importance. There are great questions to be settled to-night; and, unless we meet fairly the claims of parties who allege that they are aggrieved, we shall not be advancing in the great enterprise in which we have embarked. When, therefore, a body like the West India Society asks the Government of this country to sanction a further loan for the immigration of labour into these colonies, it becomes absolutely necessary to point out the relations in which the West India interest stands to former loans guaranteed by Parliament, and sanctioned by the Legislatures of the Colonies. Under 11 & 12 *Vict.* the Government is empowered to guarantee loans to the West India colonies, at 4 per cent interest, and not exceeding 500,000*l.* in amount, for the promotion of immigration, the construction of public works, and other objects of a like nature. What sums have been allotted out of the 500,000*l.* ? British Guiana has been allotted 250,000*l.*, Trinidad 100,000*l.*, and St. Lucia 3,000*l.*; altogether 353,000*l.* have been allotted out of 500,000*l.* There is at present under the consideration of the Treasury a recommendation that 100,000*l.* should be allotted to Jamaica. Supposing that done, there will still remain 47,000*l.* unapplied. But this is not all. Of the sum of 250,000*l.* allotted to British Guiana, only 150,000*l.* have been taken; and of the sum of 100,000*l.* allotted to Trinidad, only 40,000*l.* have been taken. How, then, I ask the House, can a claim be justly urged on the Government to propose fresh loans for the encouragement of immigration to our sugar-producing colonies when the sum already provided for that object has not yet been exhausted ? I am sure that the West India body will, on reflection, feel that circumstances, as at present existing, would not justify the Government in coming forward to propose a fresh loan for these colonies. I now come to the fourth request put forth in the memorial of the West India body, namely, that we will permit sugar to be refined in bond for home consumption as well as for exportation. I have given this subject my earnest consideration. It will be remembered how, in old days, this question was ably debated in this House by Lord George Bentinck, and how I and my Colleagues supported it. No doubt this would be a very great boon to our sugar-producing colonies; but there are other considerations which bear upon the question, and which in its decision must be taken into account. I will put the case before the House as briefly as I can, and I cannot do so more clearly than by asking the House to suppose that the year 1854 has arrived, when no differential duty will remain, but when all sugar—whether foreign or colonial—will be subject to an equal duty of 10*s*. It is represented to us that the saccharine matter of foreign sugar, unrefined, is considerably greater in amount than that of British colonial sugar. It appears that every hundredweight of foreign sugar contains about 90 per cent of saccharine matter, while a hundredweight of colonial contains only from 70 to 75 per cent; compared with the coarse sugar of the East Indies, the difference in favour of the foreign is still greater, being as 90 to 60, or somewhere thereabouts. The House will perceive that, under these circumstances, when the duties on both sugars are equal, the raw produce of which the manufacture terminates in bringing forward such a superior article, has, in point of fact and in practice, a differential duty in its favour. If 10*s*. were levied on the first, the produce of which is represented—say, by 90—and only 7*s*. on the second, the produce of which is represented by 60, it might express the differential duty in this instance. The colonists ask to refine their sugar in bond for home consumption—that is, that the Government should take the duty on the refined produce, and not upon the coarse or raw sugar. There are, certainly, considerations connected with the revenue of the country which require to be duly weighed in looking at this demand; but I do not think that considerations connected with the revenue constitute a sufficient ground for resisting the claim of an interest in the position of the West India colonies. Here we have an opportunity of conceding to them a great boon which is quite consistent with the principle of unrestricted competition. I announce, on the part of the Government, that we are prepared to concede this boon—we think it ought to be conceded, and we believe it will afford great relief and also give a fresh impulse to the manufacture of colonial sugar. Of course, the boon will be conceded subject to conditions necessary for the protection of the revenue. I will not now say anything about the use of molasses in breweries, or the reduction of the duty on rum, for the same reason which induced me not to enter into discussion respecting stamps on charter-parties and marine insurances—points connected with the shipping interest. They are not questions of peculiar burdens, but enter into the consideration of the means by which the general revenue of the country shall be raised; and this is not the moment to make any observations on that point.

There is one other subject, however, on which I must touch before I can proceed with the general exposition of the financial scheme which I mean to propose to the House—and that refers to the local taxation of the country. It is quite unnecessary for me to enter into any of those arguments with which both sides of the House are so familiar, as to the character of the local taxation of the country, or any longer to show that there are objects of universal interest which are, in fact, sustained by taxation imposed, not upon the general property of the country, but upon parts of that property, and upon a peculiar division of it. The whole question has been met so ingenuously by one who, though opposed to the policy I sometimes recommended, is a master of the subject—I mean Mr. Cornewall Lewis—that I am perfectly willing, as far as any reasoning on the subject is concerned, to rest it on the evidence given by that Gentleman before a Committee of the House of Lords on the subject of local taxation, and subsequently revised and printed by him in a pamphlet when in office, and, of course, with the sanction of the Government to which he belonged. Mr. Lewis says, that, so far as the principle is concerned, it cannot be contested that the support of the poor should be a subject of general taxation. There is no question, perhaps, of such general interest as the support of the poor. The support of the poor is a matter of general, nay, universal, obligation; and, so far as the principle is concerned, the complaint on this head of a portion of the real property of this country, which has, suffered most by recent legislation, is exceedingly well founded. There could hardly be a difference of opinion about that; therefore, it is unnecessary to enter into any discussion on the subject. Well, Sir, some years since a portion of the real property of this country—the agricultural interest—during a period of great suffering, became extremely sensible of the injustice of the existing system. To be called upon to pay local rates for a subject of universal obligation, which ought to be maintained by universal contribution, drew their attention naturally to the incidence of that taxation. They complained of the injustice to this House, and, Sir, I think that in the discussions and divisions which took place upon the question in this House, they made out a good case. I think, therefore, I may assume that we shall have no dispute upon principle, and we have now to consider what course we shall take with respect to taxation which is mainly levied for purposes of general obligation, but is not levied on the whole community. The local taxation of the country is a subject with which the House is now so familiar that I shall be able to treat it more succinctly than I probably should have been able to do a short time back. This local taxation resolves itself into three principal rates, namely, the highway rate, the county rate, and that great rate called the poor-rate; each of which has been in its turn the subject of much discussion in this House. The highway rate has been discussed in this House chiefly with reference to its improved administration. The county rate, though not very considerable in amount, has excited a large share of public interest from the attempts which have been made to establish the representative principle in connexion with its management. The third is, however, the rate which has most occupied public attention, both as regards its object and its amount—I mean the poor-rate. I will not say anything on the subject of the highway rate. Six Bills have been brought into Parliament with the view of establishing a better administration of the highway rates; and it was my intention not even to have adverted to the subject were it not that my hon. Friend the Under Secretary of State—who presided with singular ability and unwearied industry over the Committee on Turnpike Trusts, and who on several occasions has, as the House has recognised, proved himself to be a master of the subject—has, though having quite enough to do in his own department, been kind enough to assist me in the preparation of a seventh Bill on the subject of highway rates. I hope that this Bill will, after six experiments, win the confidence of the House and the country, and have a beneficial effect, both administratively and financially, on the districts affected by the highway rate. I now come to the county rate, which although the smallest of the three, has, from the peculiar circumstances to which I have already adverted, excited a good deal of interest in this House. With respect to the administration of this rate, I would here say, that, generally speaking, on the first point—namely, the principle of representation—there is not, on the part of Her Majesty's Government, the slightest objection to the introduction of the representative principle into this, any more than into any other of the public affairs of the country, provided it can be done without disadvantage to the public good. Therefore, with reference to the administration of this rate, we have no objection whatever to the adoption of the representative principle, if it should be the opinion of the House that the ratepayer is entitled to control over the expenditure of the rate. But this fund is a small one, and there are two items in the rate to which that popular principle cannot be well applied—namely, those portions of the rate which are directed to the maintenance of gaols and lunatic asylums. This forms the great—indeed the only—difficulty in the application of that principle to this rate. The gaols and lunatic asylums have hitherto been under the superintendence of the magistrates; and it is admitted that those gentlemen have, on the whole, discharged their duties in a satisfactory manner, though, speaking *à priori*, it might be objected that the control of establishments of this kind ought not to be vested even in them. It cannot, I think, be doubted that the prisons of this country, as a portion of its executive administration, ought to be very much, if not entirely, under the control of the Executive Government. I think the time is approaching—and it may be rapidly—when we shall have to consider the whole question of punishments as one of the most pressing questions of the day; and an occasion will perhaps arise when the Government may feel that they ought to act with more directness and decision with respect to the management of gaols than the House would now be prepared to sanction. However, at present, taking a more limited view of this branch of local taxation, let us see what burden it imposes on that portion of the property of the country which has suffered most by recent legislation; and if we be of opinion that that burden is unjust, let us consider what remedy we can apply to the case. In the first place, let me remind the House that the incidence of the county rate on the property of the country is extremely slight. The rate amounts to 800,000*l.*, taking into account the deduction of contributions from the Consolidated Fund and other sources, to the extent of 300,000*l.* Taking this deduction into account the rate amounts to 3*d.* in the pound on the property assessed. Admitting, for the sake of argument, the incidence of the county rate to be unjust, what can we do that will produce any sensible effect? If we should throw half of the amount of the rate on the Consolidated Fund, it would relieve the ratepayer to the extent of three-halfpence in the pound; but, at the same time, it would require such an amount as would sensibly embarrass us in dealing with the general taxation of the country. There are many taxes that do not produce more than 400,000*l.* a-year, and yet are found to act most injuriously on the great body of the community, and injurious, of course, as a consequence, to the agricultural community. I say then, frankly, so far as the county rate is concerned, that I am not prepared to recommend any change in that portion of our local taxation. [*Sensation.*] I must remind hon. Gentlemen that they were so kind as to intimate that they would not decide upon my proposal until it was altogether before them, and that they would let me state my case. Now, Sir, I come to the consideration of the poor-rates. In dealing with these rates I beg to say I have not in any way changed my opinion from what I formerly entertained and expressed, that the absolute incidence of all local taxation is perfectly indefensible in point of principle ; but looking to that which is most expedient for the country generally, and most expedient for that class which I think most injuriously affected by the present arrangement—taking that view of the case, I will now for a moment examine the question of the poor-rates. We must, Sir, remember, in the first place, that a very great change has taken place in the burden of the poor-rate since, at the commencement of 1849, I first brought under the consideration of the House the incidence of our local taxation, and especially and mainly of the poor-rate, upon realised property, and particularly upon that portion of realised property which was then greatly suffering. Between the last official return describing the amount levied for the maintenance of the poor, on the table when I addressed the House on that subject in 1849, and the last official return which is now on the table of the House, there is a difference of nearly 25 per cent. When I look into the expediency of the course I am to take, that is a most important consideration. There is no proposition I ever brought forward with respect to the establishment charges which, if it had been carried, would have effected so great a relief as this gradual diminution of the poor-rates. Now take, for example, those establishment charges. The establishment charges for the salaries of officers connected with the administration of the poor are something like 430,000*l.* a year. Well, since 1848–49, until the last return upon the table, you have had, on an average, an annual diminution of the rates equal to the amount of the establishment charges. The return of the expenditure for the relief and maintenance of the poor which was on the table when I addressed the House in 1849, was not the return for 1849, but for 1848; and it was, of course, the basis of my general argument, and the origin of the feeling in the country on this subject. The amount was 6,180,000*l.* Now, the amount expended for the relief and maintenance of the poor in the year 1851—according to the last return on the table of the House, though I have a more recent one, which I shall refer to subsequently—instead of being 6,180,000*l.*, was 4,962,000*l.* [*Loud cheers from the Opposition.*] I am afraid that is really not a cheer on account of the diminution of pauperism. I am afraid it is a cheer for recent legislation. Now, I don't want to disturb "recent legislation," but your cheer is a very illogical one, and I must show you—what I should not otherwise have done, because I don't want to raise any controversy on the subject—that recent legislation may not have had anything to do with this result. Now, you (the Opposition) think "recent legislation" is the cause of the poor-rates, in 1851, having been under 5,000,000*l.*, and upon that you cheered, but then it so happens that in 1846, before "recent legislation" took place, the rates were rather less. [Mr. Bright : With the same price of corn?] I think, though I don't want to do it, I could produce some returns of the prices of corn which would show that diminished poor-rates may coexist with high prices of corn—one return, for instance, which, when I quoted it, the late Sir Robert Peel said ought never to have been printed ; but there are greater subjects for us to consider than the triumph of obsolete opinions. [*Great laughter from the Opposition.*] Yes, I look upon one-sided free trade as an obsolete opinion, just as you look upon protection — obsolete, because they are lost in the great principle of the day—that of unrestricted competition. Now, I must put these facts before the House, because they are very significant, and till then I hope hon. Gentlemen will suspend their accents of triumph. I have shown you that there has been a diminution of poor-rates from 1848 to 1851 of nearly 25 per cent—a very important point for me to consider as regards the expediency of dealing with those rates; but, though there has been, from 1848 to 1851, a diminution of nearly 400,000*l.* a year in the poor-rates, I have here the return for 1852; and I am sorry to say that that rate of diminution has not only ceased, but that very little diminution has taken place. The returns of the Poor Law Board, which I have in my hand, are very contradictory to the popular opinions that are held; and it is of the utmost importance that we should have correct ideas upon this subject, not only with reference to the condition of the people, but also with reference to that important question which is agitating the public mind—namely, as to the influence of emigration upon the consuming power of the country. One would suppose, from what we are told, and from what we read every day, that an ablebodied pauper was not in existence, and that a time has arrived in which the common business of the country cannot be carried on, owing to the emigration which is taking place. Now, the fact is, that in that wonderful period of 1851–2, in which we heard all these stories, and when I, for one, was prepared to see certainly an equal diminution of pauperism in the country, there has been no such result. The amount of the rates for 1851 was 4,962,000*l.*, and for 1852, 4,894,000*l.*; and I find, from the return for the half-year ending in Michaelmas, 1852, that the amount is 2,432,000*l.*, which, being doubled, would give 4,864,000*l.* for the year; but you must remember that the half-year ending at Michaelmas is the mild half-year, and, therefore, I do not think we can believe that any sensible reduction of the pauperism of the country ought to be relied on. I will not, however, urge any argument upon it. I confess myself, notwithstanding this return, I believe that the country is in a most prosperous state, and I will not relinquish the belief that pauperism will yet be sensibly diminished; but it is my duty to place these details before the House. Still, the great fact remains that the charge for pauperism in this country upon realised property, and especially upon the agricultural interest, has been reduced by the amount of 25 per cent since I first drew the attention of the House to the subject; and there is no doubt, notwithstanding the somewhat disappointing return I have just placed before the House, that there are circumstances in operation at this moment which, if human judgment can lead us to a reasonable conclusion, must considerably affect the amount of pauperism in this country. I have no doubt the counteracting causes that, for a moment, have arrested the rapid diminution of the rates might be discovered, but I myself still believe there are circumstances and causes in operation that will progressively, and even materially, diminish the pauperism of the country. Well, then, Sir, I have to consider, under these circumstances, whether it will be expedient to deal with the sum that is raised by local taxation for the maintenance and relief of the poor. I have to recollect that, since I brought this subject forward, there has been such a diminution in the amount levied that four times the amount of the establishment charges have been saved to the realised property of the country. I have to recollect that we are precluded from dealing with the establishment charges entirely, since that could not be effected without the transference of the entire patronage of many thousand offices to the central Government—an arrangement which in this country could not be tolerated. I have to recollect, also, with regard to that peculiar portion of the realised property of the country whose claim I urged, that since the period of 1849 the relative proportion between that property and the other realised property of the country has undergone a change, and that from both these causes the incidence of this taxation is less severe. Lastly, I do believe that all the influences in operation, notwithstanding the return I have quoted to the House, tend to the diminution, and the considerable diminution, of the burden in question. Well, Sir, as my means are limited—looking, as I have anxiously looked, for means by which I might assist every suffering class, every class which I think has a fair claim to the consideration of the House, in a manner which would contribute to the general welfare of the community—believing that the measures which, on the part of my Colleagues, I am about to propose to-night have that tendency, and that they will greatly assist those who, I think, have been subjected to a very severe trial, and who, in this respect, I conceive, are liable to a taxation which, on principle, cannot be defended—I am not prepared to recommend any change in the present system of raising the local taxation of the country.

I have now, Sir, considered three instances of peculiar interests that have, in my opinion, suffered by recent legislation. I have placed before the House the general views of Her Majesty's Government with respect to those interests. I have offered, with regard to the shipping interest, measures which, so far as I could judge of the feelings of the House, were, I think, considered moderate but satisfactory. [" Hear, hear !"] I mean moderate so far in their conception that they have not been framed with an *ad captandum* purpose; satisfactory, because I believe this House and the country will take them as a final settlement to that controversy. I have endeavoured, on the part of the Government, to view the claims of the sugar colonies in a just and fair spirit. I am sure that those who are connected with that interest must be satisfied that it would be quite impossible to propose a differential duty; that that claim could only have been urged by those who were not masters of the facts; and they must see, from the course taken on the part of the Government as to encouraging immigration to the Colonies, and permitting them to carry on the manufacturing processes without the restrictions which before existed—a boon which has been described to me by an eminent member of the West India body as equal itself to a differential duty of 1*s.* 6*d.* per cwt.—they must feel, when the Government have taken upon themselves the responsibility—for it is a grave responsibility—of recommending that step, besides others to which I shall have to advert, having the same object in view, that there has been an anxious desire on our part to place them in as good a position as present circumstances and the temper of the public mind would permit. I believe, Sir, that the measures we have recommended with respect to the West India body will sensibly improve the condition of that interest. I shall not touch any further upon the subject of local taxation. I now approach the more important topic of viewing the taxation of this country under the new circumstances in which all parties and conditions of men have now agreed they are to be placed. So long as there were two great parties in this country who questioned the principle upon which our commercial code ought to be established, it was impossible to obtain any general adhesion to the principle upon which our financial policy ought to be constructed. So long as a man thought that his industry ought to be protected, he was prepared to endure a heavy burden of taxation artificially distributed. So long as a man thought that his industry should be free from all restriction, of course he demurred against the system which imposed restriction upon the financial arrangements of the country, and raised the prices of the articles which he consumed. It is obvious, generally speaking, that the doctrine of unrestricted competition is not consistent with restricted industry—in a word, if you decree that the community are to receive low prices for their produce, your policy ought to be one which will put an end, as soon as possible, to high taxes. Well, Sir, after the general election, and after the solemn verdict of the country, we had to consider the general system of our taxation, and to apply to it the principle of unrestricted competition. We had to ask ourselves what were the measures which it was best to recommend to Parliament—now that this principle was formally and definitively established, what were the measures most consistent with that principle, and which would enable the community to encounter that competition which it must now, in every form and in every sense, be prepared to meet? Well, Sir, when we took that subject into consideration, giving it the utmost thought we could command, it appeared to us that we must arrive inevitably at this result—that we should best enable the people to engage in that competition to which they are now for ever destined by cheapening as much as possible that which sustains their lives. We look, therefore, to articles that are of prime necessity, and if we find that those articles of prime necessity are subjected to some of the heaviest taxes in our tariff, then we say that these are arrangements inconsistent with the new system established, and the new principle of which we have approved. It is the boast of hon. Gentlemen opposite that they have given cheap bread to the community—but the principles upon which you have given cheap bread to the community are principles which ought to make you cheapen the sustenance of the community in every form; and I think I shall be able to show to the House, that if they adopt that principle of finance, they will, in a legitimate manner, without going out of their way, and without any artificial means, be giving the greatest possible impulse to every branch of the industry of the country, and especially to those very branches that have most suffered by recent legislation. The House, therefore, will not be astonished that Her Majesty's Government are prepared to recommend Parliament to deal with the malt tax. Here is a prime necessity of life subject to a very high tax, and a very high tax levied under circumstances which greatly restrict industry. I am not called upon to recommend the change I am about to propose to the House to hon. Gentlemen opposite on any other plea than that which they have always declared to be the sovereign plea—namely, the benefit of the consumer. Hon. Gentlemen opposite have sometimes told friends of mine, when they have proposed dealing with the malt tax as a means of assisting the agricultural interest, that it was only a consumer's tax; but I am sure hon. Gentlemen opposite will not oppose the plan of the Government on that plea —that they will not get up and tell me I am about to propose a change in the law which will only benefit the consumer. It can hardly be the effect of the dissolution of Parliament, it will hardly be the effect of the triumph of unrestricted competition, that I am to be told by hon. Gentlemen opposite, on the first occasion when I propose a remission of a tax, that it can only benefit the consumer. On the contrary, I give hon. Gentlemen opposite credit for the consistent and sincere conviction that the interest of the consumer is the interest which we ought first to consider. I have never disguised my own opinions on this subject. I have always told my friends that though it was certainly the interest of the consumer that the malt tax should be dealt with, still it was my opinion that there was no tax with which we could deal which, if properly dealt with, would more benefit the agricultural interest. [*Cheers.*] I hope hon. Gentlemen opposite will not grudge me a few observations on this view of the question to those with whom I have so long been in close connexion. It appears to me that the question of the malt tax has assumed a totally different aspect since the repeal of the corn laws. I know it was said by one who was justly of great authority in this House—one of very great authority with me—that the moment you repealed the corn laws the repeal of the malt tax was inevitable; and, Sir, I think there will be no great difficulty in demonstrating the soundness of that opinion. But it is quite clear, when Ministers of State take every opportunity of informing the cultivator of the soil that he must grow as little wheat as possible, that the difficulty of maintaining the policy of a law which restricts the production of the next generous grain is proportionately increased. There is no doubt, when the tendency of your recent legislation is to diminish the production of wheat, and, in fact, to limit its production to those soils only which are eminently and naturally qualified for it, that the tendency of your legislation should be, if not to encourage those productions which would be natural to the soil, now that wheat is to be relinquished, at least not to maintain laws which would discourage the production of them. Even as regards wheat, it is impossible that any legislative means can be devised which would more tend to the encouragement and support of the wheat land than, in fact, diverting those soils that were improperly employed in the cultivation of wheat back to their original purpose. The more you produce barley upon the soils qualified to produce barley, the more you are improving the market for the production of those soils eminently qualified to give us wheat; and the indirect influence of any change in the malt tax upon the production of wheat will be, in my opinion, very considerable. Well, Sir, we now have to consider, in the first place, how we shall deal with this tax, in what manner and to what degree. If we deal with it in a small manner, we shall probably accomplish none of those objects to which I have alluded. The consumer will not be benefited—the cultivator of the soil will not be benefited—you'll neither have cheap beer, nor will you have a freeer cultivation of the land of the country. What you want is, that you shall have as much as possible unrestricted industry, and its consequences, as far as the cultivator of the soil is concerned; and that one of the consequences of that unrestricted industry should be that the consumer should be enabled to procure one of the main causes of his expenditure, and one of the principal sources of his health and strength, supplied to him at a reduced price. Those are the objects we wish to attain, and they appear to us to be objects which cannot be attained if we deal in a small manner with this great subject. The existing duty upon malt is 2*s.* 7½*d.*, and 5 per cent on the bushel. The consumption is increasing. In 1849 it was 38,935,000 bushels; in 1850 it was 40,744,000; and in 1851 it went a little back, and was 40,377,000 bushels. But, though increasing, there is no article of consumption which has less proportionately increased, and the diminution of the consumption of which can, I think, be more clearly attributed to the large tax levied on it, and to the restrictions which that tax occasions. I know there are Gentlemen who have endeavoured to maintain at times that the reason the consumption of malt has not increased to a greater extent is, that the taste of the country has been diverted to other sources of sustenance and excitement; but I think I could show to the House, by a reference to a few general statistics upon these subjects, that that is a position which cannot be maintained. Well, Sir, under these circumstances Her Majesty's Government think it their duty to recommend to the House that the malt tax should be considerably diminished—that we should diminish by one-half the amount of the present duty on malt. The sum which we have to deal with is a sum which exceeds 5,000,000*l.* as regards the revenue, and we propose that we shall diminish the duty exactly by one-half; we propose that there should be paid an uniform duty of 1*s.* 3½*d.* and 5 per cent per bushel upon barley, and also upon every bushel of bere and bigg; we propose to terminate the restrictions and the difference in the duty which has been injuriously and improperly maintained between malt raised from barley and from bere and bigg; and we propose also to do away with the drawback in Scotland upon spirits produced from malt. That drawback has already been renounced by Ireland as unnecessary. It was recommended by the Commissioners on Excise Inquiry as one which should be terminated whenever any considerable reduction took place in the duty upon malt; and I think I shall have no difficulty in showing to the House, when we come to points of detail, that this is a change which ought no longer to be postponed. Now, allow me to read to the House the recommendation which was made, in the year 1831, I think, upon the subject of the malt duty, by a distinguished Member of this House, Sir Henry Parnell, who was at the head of the Royal Commission to inquire into the Excise, and to whose labours we are indebted for some of the most valuable documents in our Parliamentary library. Now, these words are very interesting when we remember the circumstances under which they were written. Having entered into a general statement that the most effectual mode of suppressing illicit malting would be by a reduction of the duty on malt, he went on as follows:—

> "But, if the importation of foreign barley be not permitted, the tendency of a reduced duty to increase the consumption of malt would be counteracted by the price of British barley becoming higher in consequence of the new demand for it, which would arise from the duty having been lowered; and thus the consequence of a reduction of duty would be, not such an increased consumption of malt as would keep the revenue up to its present amount, but a higher price of barley, and a certain loss of revenue. As, therefore, there is no probability of a reduced duty being followed by such an increased consumption of malt as would prevent a loss of revenue, so long as the importation of foreign barley is restricted, we are of opinion that it will be preferable to endeavour to check illicit malting by the enforcement of the Excise laws, however inadequate they may be to produce a complete remedy, rather than to try the experiment of stopping it by a reduction of duty. If there were no factitious cause for elevating the price of barley, arising from the direct effect of a duty on foreign barley, or from the indirect effect of duties on other kinds of foreign corn, we should not feel any hesitation in saying that the proper way of dealing with the malt duty would be to reduce it one half."

Those were the words of Sir Henry Parnell. Practically, he said that, if your corn laws were repealed, he recommended you to reduce your malt duty one-half; that, too, is the opinion of a Gentleman as tender of the revenue as any Gentleman who ever spoke in this House. Those circumstances, which Sir Henry Parnell possibly did not contemplate, have occurred; you have repealed your corn laws, and I ask you now to sanction the recommendation made by Sir Henry Parnell at that time. "For," says he—

> "Nothing, in our opinion, can be more unwise than to reduce duties on articles which are fit subjects of taxation, without at the same time taking care to secure the most abundant supply that is possible to be secured of the materials which are necessary for their production."

Well, you have done that. The circumstances which he anticipated have occurred, and now I ask you to adopt the measure which he recommended.

MR. CAYLEY: Is that the report of the Commissioners that you have quoted from ?

The CHANCELLOR OF THE EXCHEQUER: Yes; the report of the Commissioners of Excise Inquiry, of which Sir H. Parnell was the chairman. The report of the Commissioners also recommended terminating the drawback on spirits made from malt in Scotland. That is at present 8*d.* per gallon; and, of course, if there were a reduction of the duty by one-half, it would only be 4*d.* per gallon. But here is the report of the Committee on the Spirit Duties in Ireland :—

> "That it is the opinion of this Committee that the repeal of the malt drawback in Ireland will not be prejudicial either to the trade in spirits, or to the revenue, in that country."

That was in 1842. In consequence of that, the drawback in Ireland was terminated without a murmur. It has given general satisfaction, and I am certain that the repeal of the drawback in Scotland will prove equally successful. There are many points in the report of the Commissioners of Excise Inquiry as regards malt which are well worthy of the consideration of the House. They particularly dilate on the length of credit which is given in that trade. They show the vicious principle on which that system has been established; and they recommend that the credit should be limited to the same duration which applies to all other exciseable articles. I confess I am not prepared to give unqualified adhesion to that recommendation. I think it is of the greatest importance that in all these changes the particular trades involved should be disturbed as little as possible; and, though I think that the principles laid down in that report are sound principles, and that ultimately we should look as much as possible in this country to diminish the system of long credits, which is not adapted to the principle on which our commerce is conducted at present, but which was the result, I think, of paper currency and war speculation—still, at the same time, I think it would not be wise unqualifiedly and entirely to adopt the recommendation of the Commissioners in this respect. We propose, then, that on the 10th of October next the malt duty shall be reduced one-half. We have fixed on that period, of course, after due examination into the question when the change could take place with the least inconvenience to the trade, and, as we believe, with the most general benefit to the community, and the 10th of October is the day on which we have fixed. On that day we propose to take the stock on hand throughout the country, and of course we shall guard those who are then possessors of malt from the competition, so far as the one-half in the amount of the duty is concerned to which they will be subjected, and for that stock in hand they will receive a drawback in proportion to the reduction of the duty. I do not know that this is the convenient moment at which I should attempt to place before the House the effect of these changes upon the revenue. It will probably be more convenient that at a subsequent part of my statement I should place the effect of those changes before the House. I will, then, once more, merely recapitulate, for the sake of clearness, what this change is. We propose to reduce the duty on malt one-half; we propose that there shall be no difference between the duty on malt raised from barley and from bere and bigg. This will occasion some accession to the revenue, though it is not for that object, but in order to simplify the subject as much as possible, that I recommend it to the House. We propose to put an end to the drawback allowed in Scotland on spirits raised from malt; and we propose that the reduction shall take place on the 10th of October next, on which day the whole stock in hand throughout the country will be taken, and a drawback allowed to the holders of that stock proportionate in amount to the reduction of the duty.

Well, Sir, following the principle which I have laid down, that in the present state of affairs we should consider our taxation mainly as it regards the great body of the consumers, believing that that policy will afford the most legitimate, the surest, and the most efficient means of relieving the industry of the country, I proceed now to another branch of the question. I have shown you that by the manner in which we propose to deal with the malt tax we benefit largely, as we believe, the consumer; but in doing so we think that incidentally—and that was only a secondary purpose—we are giving most efficient aid to the agricultural interest, far beyond what dealing with local taxation would give. Now, Sir, I come to another branch of the subject. I come to deal with an article as popular with the people as malt, as much a necessary of life, and subjected to a much heavier tax. I am about to recommend to the House to deal with the tea duties. Sir, I know the prejudices that exist among a certain class of persons on the subject of the tea duties; but having had occasion to look very much into this question, I have been amused in marking the rise of opinion—the gradual formation of opinion—on this article of produce, now almost one of paramount interest in this country. I hardly know anything more diverting than to open *Pepys's Diary*, where we see it stated, "Took a cup of the new China drink—very pleasant," and to remember that not two centuries have passed, and the exotic novelty which pleased one evening that fantastic gentleman is now the principal solace of every cottage in the kingdom. Well, Sir, the great objection which has been urged at different times and by persons in authority—for I think it right to state a case of this kind as fairly as possible—is, that in dealing with tea, we deal with an article of limited production. True it is that since Mr. Pepys had his cup of the "new China drink"—true it is that since certainly the commencement of the last century, when only 500,000 lb. of tea were imported into this country at a very high price, we have ended in importing more than 70,000,000 lb. in one year, and every year at a cheaper rate. These would seem to be facts in the face of which it is very difficult to believe that the production of tea can be limited. A production so immensely increased, and always imported at a lower price, appears to be one, the supply of which cannot certainly be likely to fail. But in the year 1834, I think, or shortly after the passing of the Reform Bill, when the trade with China was opened—when the charter of the East India Company was about to be, or had become, matter of discussion—it was always urged by persons of authority, against opening the trade with China, that we should be greatly disappointed in what would occur, because, the supply of tea being limited, it was quite impossible that there could be any reduction in the price. The supply of tea was then, I think, about 30,000,000 lb. per annum. Now, we have, last year, imported the unprecedented amount of 71,466,000 lb., our consumption being, in round numbers, 54,000,000 lb. It is quite clear, therefore, that the importation of tea is still greater than our consumption; and it is also quite clear that the duties which exist, which are nearly 240 per cent per lb., check a consumption equal to the importation. Well, Sir, when we look to the gradual increase in the importation of tea; when we look to the broad fact that 30,000,000 lb. under the restricted trade have increased to 71,466,000 lb. under the freer trade, though subjected to a colossal duty; when we look to all the evidence before us, and to the gradual diminution always of price, we have a right, I think, *primâ facie* to conclude that there will be no difficulty in supplying the demand for tea in this country. But, Sir, Her Majesty's Government, in dealing with this important subject, have not deemed it consistent with their duty merely to depend upon their own conclusions, formed from books, and their observation of what occurs around them. They have had an opportunity of consulting those who are great authorities on the subject, who, by their foreign residence, their particular study of the matter in question, and their natural aptitude to form conclusions upon such subjects, should be entitled to guide the judgment of any Administration. They have applied to those who, locally, were the best capable of forming an opinion—though, of course, to form an opinion on a subject in a country like China is much more difficult than in other countries—nevertheless, we have now some knowledge of China; nevertheless, there are individuals who are very competent to guide even a Government on such subjects; and, after bestowing upon this question the most laborious investigation, and having omitted no efforts to obtain the most accurate information; having suggested every means and every test by which that information could be brought to bear—having even personally had the honour and satisfaction of conferring with some peculiarly qualified to offer an opinion on the subject—Her Majesty's Government have arrived at the conclusion which, to use the most moderate language I can command, may be thus expressed—that there can be no prospect of any want of a supply of tea to this country. It is under these circumstances, Sir, that we approach this question. We must remember some facts of importance; we must remember that since the year 1841 the annual increase in the consumption of tea in this country has been 1,727,000 lb. There has been a gradual increase from 1841 of the consumption of tea, even at a duty of 240 per cent, and that increase during the last few years has been much larger. The increase in the consumption during the last six years, without any reduction of duty, has been nearly 10,000,000 lb. In 1851 the consumption in round numbers was 54,000,000 lb., while in 1844 it was 44,000,000 lb. In considering this subject, it was impossible to shut our eyes to what has occurred in respect to the consumption of sugar. The consumption of sugar in the year 1844, the year immediately preceding the great reduction of the duty, was 4,129,000 cwt.; in 1850, it was 6,200,000 cwt.; and in 1851, it was nearly 6,600,000 cwt., showing an increase in the first six years of the reduced duty of about one-half, and in seven years, of considerably more than one-half, the duty having been reduced in the proportion of 25 to 10. In dealing with tea, we are of opinion that it would be perfectly vain to attempt to make any difference either between black and green, or between any qualities whatever. We are persuaded, that in making any such attempt, we should only involve ourselves in great trouble; that we should not attain the object we all desire; and that in this question, as in malt, or in any question of a similar kind, the boldest is the wisest course. I mentioned before, that we were not of opinion that the reduction of duties on articles so far of a similar character, that they both tend to the sustenance of the people in the form of beverages, at all interfere with each other. I do not know any more striking case than the case of coffee. I think that in 1808 there was little more imported into this country than 1,000,000 lb. of coffee. The duty was then considerable. It was changed—it was much lowered; and, in 1809—and remember what our population then was as compared with what it is at present—the importation was nearly 10,000,000lb. But simultaneously with that increased consumption of coffee the consumption of tea has increased, and we are now consuming 37,000,000 lb. of coffee, while, as I have just shown, last year we consumed 54,000,000 lb. of tea, and probably we shall not consume much less than 57,000,000lb. in the financial year ending the 5th of January, 1853. Under these circumstances, availing ourselves of the experience which dealing with the sugar duties has given, following a precedent which I think has been so successful, we think the proposition that we ought to make to the House—a proposition which I believe in every way is a safe proposition—should also be one in its character of a complete and comprehensive nature. The present duty upon tea, with the 5 per cent added, is 2*s.* 2¼*d.* a pound. Without making any distinction in the qualities of tea, we propose that we should reduce that duty to 1*s.* a pound; and we propose that, following the example of the sugar duties, that reduction shall extend over the term of six years—that in the first year there should be a reduction of 4¼*d.* per lb.—[*Laughter.*] I think hon. Gentlemen, when they have reflected for a moment, will find they are too precipitate in their laughter, because we have to consider two things, we have not only to consider the revenue, but also the case as it affects the consumers, who seem to be quite forgotten by hon. Gentlemen opposite. There is not the slightest doubt that if the state of the revenue allowed us at once to reduce the duty to 1*s.* a pound, you would probably find the greater proportion of the reduction would not go to the advantage of the consumer; because, although I have great confidence in the resources of China for the production of tea, although I know that China is the most populous country in the world, without stating how many hundred millions may be there, and although I know that tea is used in every part of China, and that the quantity exported is comparatively a very small part of that which is produced and consumed in China, and although I know very well there is an annual surplus left of that exporting quantity in China, still I am perfectly aware that if there is a sudden demand in this market, and you have not taken the usual and prudential care and consideration upon which all trade must be conducted, you will not find the consumer will benefit to the extent of the remission in question, while at the same time the revenue must suffer considerably. It takes three or four years to make a tea tree, and that is a point to be considered in dealing with these duties. If you want to increase production, especially of such an article as tea, you cannot suddenly go with a demand for which they are not prepared; but if you take the scale which Her Majesty's Government propose—a very moderate scale I admit, but I believe a very safe one—I think, with very slight injury to the revenue, you will ultimately obtain that cheap and superior article which you would desire. Well, then, what we propose in dealing immediately with this article—and it must be remembered that tea is not like an article of domestic produce, but is subject to very different conditions—what we propose is, that there should be an immediate reduction of 4½*d.* per pound in the duty on tea, reducing it from 2*s.* 2¼*d.* per pound to 1*s.* 10*d.* I believe I have taken the increased consumption under that reduced duty at a very safe figure. Instead of 54,000,000, upon which the last January revenue was raised, I only put 60,000,000 lb. for the first year of the reduced duty, being an increase of 6,000,000 lb., but virtually not much more than 3,000,000 lb.; because, as I have told the House, the consumption of tea has so much increased on the quantity on which the revenue was last taken in January 1852, that probably the amount of the consumption of tea for this year will be 57,000,000 lb. Therefore, virtually, I only calculate upon an increase of 3,000,000 lb. at the reduced duty for the first year. I think, when we take the average of a great many years, and find that we have from year to year attained a similar increase, that we may well calculate upon an increase of 2,000,000 lb. a year. That is not an excessive calculation. I think the reduction we propose is one that we can make with perfect safety to our finances, as I will show to the House when I sum up the changes in the taxation of the country which Her Majesty's Government have determined to recommend. I propose, then, in regard to tea, that we should immediately reduce the duty $4\frac{1}{4}d.$ a lb., and that in each subsequent year it should be reduced *2d.* per lb. until it arrives at 1*s.* I believe that if you adopt that system you will very little injure the revenue, that you will gradually enable the people of this country to have a supply, at a very reasonable rate, of a very favourite beverage; and that you will do more than that—that you will give a great stimulus to the commerce, the shipping, and the manufactures of this country. For my own part, I do not know any measure more calculated to give a great stimulus to the commerce and shipping of this country than a measure dealing largely and extensively with the tea duties; and, although I might have been glad to offer to the House a project with regard to this duty which, at the first blush, might seem of a more favourable character, yet, considering the circumstances under which Her Majesty's Government make their exposition of the financial policy they recommend—that the financial year is not yet concluded, and other circumstances—I am persuaded we have taken a prudent as well as a bold course; and that, if the House accepts our proposition, they will have consented to one of the most important arrangements, and sanctioned one of the most effectual measures, ever brought forward to stimulate the commerce of this country.

Sir, there is one duty I am about to deal with, and which is connected with this branch of the subject, and which, perhaps, I ought to have adverted to before, and that is the hop duty. We are unwilling to make this effort to give cheap beer to the people without dealing with one of the important ingredients of that beverage. The House is aware there are two duties now levied upon hops. There is the old duty of the time of Queen Anne, and there is the war duty imposed during our great European struggle. Those duties are almost equal in amount; in round numbers, without the fractions, they amount nearly to about 1*d.* per lb. each, and what we propose is, that the old war duty—a very unpopular duty—a duty which ought never to have been continued—should be remitted. At present we do not propose to take off all. Something must be left for future statements. Still I think in reducing the hop duty one-half, and the malt duty one-half, and reducing the tea duties immediately considerably in the pound, and in establishing machinery which will bring them down to 1*s.* a lb., it cannot be said we have been unmindful of the claims of the community, subjected to the principle of unrestricted competition.

Now, Sir, there is one point of some importance which I think I ought to touch upon. We are raising the revenue of this country, and recommending all these measures on the principle that the revenue of this country shall mainly depend on the consuming power of the people. But it has been said of late, it has been rumoured about with considerable vehemence, that the consuming power of the people is rapidly diminishing. Some modern economists—I speak of those statements which meet us in many quarters and in many places—say that the consuming power of the people is in a state of rapid diminution; and I think I am only doing my duty in calling the attention of the House to that subject, for it is one that very much agitates the public mind; and it is the duty of the House to instruct the public mind upon subjects of so much importance; for, if that is true, certainly the principle upon which I am now recommending these measures is erroneous and mistaken. Now, Sir, I have no hesitation in saying that no evidence reaches me which in any way leads me to believe there is the slightest foundation for the opinion which is said to prevail—that the consuming power of the people is diminishing. I apprehend the idea which has given rise to the opinion that the consuming power of the people is diminishing, is founded upon the emigration that has taken place from this country; and that is a subject to which the hon. and learned Member for Wolverhampton called the attention of the House the other night. There is no doubt that, if we look to the returns of emigration, we shall find that there has been a greater amount of emigration from this country within this year than is counterbalanced by the births that have been registered in England and Wales. In the year 1849 the emigration was, in round numbers, 300,000; in 1850, 280,000; in 1851, 335,000; and on the 1st of October, 1852, the last return I have, that is to say, in three quarters of a year, they are in amount nearly equal to the whole of the year 1851—namely, 332,000. There is no doubt also that the births of this country, in the year 1851, were in round numbers little more than 600,000, and the deaths amounted to 400,000. So it would seem from these returns that our births exceeded our deaths by 200,000 in the year 1851; and that our emigration exceeded the superfluity of our births by considerably above 100,000; but if these facts are a little examined—if they are a little analysed, it will be found there is no foundation for the conclusions that have been hastily drawn from them. In the first place, the return of our births, marriages, and deaths is confined to England and Wales; in the second place, the amount of emigration from England and Wales is small—two-thirds of it is from Ireland, a country which does not figure in the returns of our births and population. Then we have to consider the different causes that have produced emigration from Ireland, and emigration from England. The emigration from Ireland is produced by a social system that has broken to pieces; it is produced, I may say, by the misery of the people. Now, the emigration from England is produced by causes exactly the contrary to those I have stated with respect to Ireland. The people in this country were never better off, but they have foreign inducements that act upon their spirit of energy and enterprise, and they are determined to seek even better fortunes than they experience in their native land. That is the first point—that is the great difference between the causes that have produced the emigration of the two countries. The emigration from England is, in fact, only 100,000 a year, while there is an addition of 200,000 to its population. There is nothing, it would seem, excessively apprehensive in the fact that our emigration, stimulated by the higher aspirations of man, and not occasioned by a sense of misery, so far affects our population that 100,000 persons quit us, while the natural increase of our population is 200,000; but, even if there were 200,000 or 300,000 of our population quitting England, I could not view emigration, under such conditions as those under which the emigration from Great Britain takes place, as a source of weakness to the country, or, which is the point for us to consider, in speaking of the finances of the country — as a source of diminution in its consuming power. On the contrary—though one naturally shrinks from paradoxes upon a subject so grave—my own opinion is that it has a tendency to increase the consuming power. Every emigrant from England generally becomes an English colonist, and an English colonist becomes an English customer, and our markets are stimulated, our people are employed, and their wages are improved by the very circumstance which some regard as tending to our decay and desolation. But, even if I look to the case of Ireland, where emigration takes place under conditions so contrary to those of England, I am still obliged to arrive at a similar conclusion. Have hon. Gentlemen remembered what the state of Ireland was a few years ago?—have they forgotten that memorable document, the Report of the Devon Commission?—have they remembered that description, which circulated throughout Europe, of there being in Ireland 2,400,000 paupers—that more than one-third of the people were receiving no wages of any kind—that they were living in hovels, littered on straw, feeding on dry roots, and often on seaweed? That was the description given by Royal Commissioners, under a Royal Commission, of a great portion of the people of Ireland. Well, then, you have got rid, in a certain degree, of that population. It is, no doubt, a dark passage—it is, no doubt, a gloomy chapter, in the history of any country, that such events should occur; but I am only looking at it in a financial point of view to-night. I am bound, in bringing forward measures, such as, on the part of the Government, I am now bringing forward, not to evade a matter of such vast interest, upon the truth of which the whole of this subject depends. It is a question of the utmost importance—the consuming power of the people of this country. But although we have lost in Ireland more than one million and a half of the population, has the revenue of Ireland suffered a diminution in proportion to that loss? On the contrary, the revenue of Ireland, in its worst time, never very sensibly diminished. Between the year before the famine and the present year, there has not been a difference of anything like half a million. I believe in the former year the revenue from Ireland was very little more than 4,000,000*l.*, and—I am sorry I am trusting my memory on the point—it is now, I think, 3,700,000*l.* and upwards, and it is in a very buoyant state. I take the case of Ireland because we are there apparently labouring under very disadvantageous circumstances. All this shows that the consuming power of a people does not depend on their numbers, but on their condition; and I am persuaded that if the exodus, as it is called, of the Irish people continues, it will end even in Ireland becoming a much wealthier country, and that the consuming power of the people of that country will not only be sustained, but will increase. But, as regards Great Britain, I believe that the emigration that has taken place, instead of being a source of disquietude and alarm, is, in fact, the means by which the wealth of this country will be greatly increased; that it will have a most beneficial effect upon the people that remain; that it will develop their resources, and give opportunities to many that they never before possessed, and that the general result will be beneficial to the revenue, and the consuming power of the people will not only increase, but also the population. There is one point connected with this subject of very considerable importance. There is an apprehension entertained by some persons that there has been of late an unnatural rise in the rate of wages. Great authorities, I understand, are of opinion that the rate of wages is increasing so rapidly that the rate of profits will not only be diminished, but destroyed. Now, I am bound to say, that in pursuance of my duty, I have made inquiry into this subject; but I have not received any evidence of that extraordinary rise of wages of which we have heard. I believe that there has been a rise in wages; and I believe, moreover, that it has been very much to the public benefit; and that, if it continues, the public will be still more benefited. One thing, I think, is clear—that the consuming power of the country has not been diminished by the augmentation in the rate of wages. But, Sir, although the rate of profit depends upon the rate of wages, that is not the only element in this great question. There is another element still more important in its solution, and that is the rate of interest. The employer of labour may pay more to his workman—I hope he does; but the employer of capital is obtaining that capital at the present day on much more favourable terms, and with a facility which no employer of labour ever before enjoyed. Sir, the hon. Gentleman the Member for Wolverhampton (Mr. C. Villiers) said the other night that the discovery of gold, like the increase of any other article, gives activity to commerce, but does not give it more activity than any other article of exchangeable value; and he called upon me to meet him upon that point. I did not think that that was exactly the fitting occasion to go into that question; but I deny the position of the hon. Gentleman that the discovery of gold, like the production of any other article, while it gives activity to commerce, gives to it no more activity than would be occasioned by the increase of any other article. I maintain that it has not only given activity to commerce, but that it has influenced the commercial operations of this country to an extent which no other article could have exercised. I say, that the discovery of gold, considering the currency which we possess, has established credit in this country in a manner which no political economist could ever have imagined. I say that it has increased and confirmed credit in this country, and that that increase and confirmation of credit has, of course, proportionably increased the employment of the people. It would seem to be to be mere blind and obstinate prejudice to shut our eyes to that conclusion. But there is another question to be considered in regard to our prosperity at this moment, and that is, will the present low rate of interest last? I hope it will. My opinion is—though it is, perhaps, imprudent in me now to volunteer it—my opinion is, that whatever imprudences may occur—and I need not say that I deprecate them, but, notwithstanding some imprudences—the present rate of interest will mainly continue. It would seem to depend upon conditions and circumstances which have never before prevailed in this country—natural circumstances and permanent conditions—and I cannot but believe that, if we only act with tolerable prudence, with such advantages as we derive from a low rate of interest, arising from natural causes, this country has before it an opportunity of material progress such as never occurred before to the vision of any statesman.

Sir, the Committee will remember that by the remission of taxation which I have proposed on the part of the Government, through the measures I have attempted to place before them, there will be a reduction of taxation to the amount of between 3,000,000*l.* and 4,000,000*l.* sterling. I shall have occasion hereafter to place the items more particularly before the House. But, by the remission which I propose in the malt tax, there will be a reduction of taxation to the extent of 2,500,000*l.*; by the reduction on the tea duties an immediate remission of 900,000*l.*; and by the reduction in the hop duty, the revenue from which, as you are aware, is fluctuating, but the average of which, I think, may be taken at 300,000*l.*, I have, in fact, proposed a reduction of taxation to the amount of something between 3,000,000*l.* and 4,000,000*l.* sterling. But I must remind the Committee that, although this is only December, in a few months one of the principal sources of the revenue of the country will terminate, and that, if they support the propositions of the Government, they must not only encounter the great remissions of taxation, and, consequently, some considerable diminution of revenue, but they must likewise be prepared to deal with the consequences of a law expiring which now gives us more than 5,000,000*l.* sterling per annum—I mean the property and income tax. It will become the duty of the House, then, to decide what they will do with the property and income tax. Now, it has always been to me, as I am sure it must be to any Gentleman, exceedingly disagreeable to read to the House anything I may have said on a previous occasion; and I am quite sure that nothing would ever induce me to quote my own language by way of authority; but it is absolutely necessary that on the present occasion I should presume to call the attention of the House to some remarks which I made on the subject of direct taxation when I laid before the House in the earlier Session of this year the financial statement, more especially as many Gentlemen are now in the House who were not then Members. I then called the attention of the House to the difficulty with which the revenue of the country was raised. I reviewed the objections which were made to indirect taxes in the shape of Customs duties and Excise duties—and I at last showed that, although there had long prevailed an abstract opinion in favour of direct taxation, yet all attempts that had hitherto been made to apply it to the raising of our revenue had only led to the conclusion that it was contrary to every principle of science and justice. I then said, speaking of the Committee on the Property and Income Tax then sitting, and whose opinion I naturally referred to with reserve, as they had not then made their report to the House—I then said—

> "There is another point on which I can speak with more frankness in reference to the tax upon property and income. I have not presumed, and will not presume, to give an opinion upon the justice or injustice of a change in the mode by which the assessment of permanent and temporary incomes is effected. But there is a point, I believe, on which the Committee is so unanimous that their opinion need not be a secret; and it is also, I believe, the unanimous opinion of the House of Commons, as I am sure it is of the country—namely, that if taxes of this character—if measures of direct taxation like the income tax—are to form not temporary but permanent features of our system of finance, they cannot rest upon a system of exemptions. Well, but if they are not to rest upon a system of exemptions, do you augment the methods to which a Chancellor of the Exchequer may successfully appeal for the purpose of raising revenue? No doubt direct taxation is in its theory an easy, a simple, and a captivating process; but, when you wish to apply that direct taxation generally, it is astonishing the obstacles you encounter and the prejudices you create. Sir, to my mind—and I think it is a principle now pretty well established—direct taxation should be nearly as universal in its application as indirect taxation. The man who lives in a palace, and a cottager, as consumers, are proportionally assessed. It is not perhaps, possible that in direct taxation you can effect so complete a result—perhaps it is not necessary; but that, if your revenue is to depend mainly, or in a great degree, upon direct taxation—if it is permanently to depend upon direct taxation, you must make the application of the direct tax general, is to me a conclusion which it is impossible to escape. No doubt, by establishing a temporary measure of direct taxation, based upon a large system of exemptions, you may give a great impulse to industry; you may lighten the springs of industry very effectually for a time; but—not to dwell upon the gross and glaring injustice of a system of finance that would tax directly a very limited portion of the population—but looking only to the economical and financial consequences of such a system, who cannot but feel that, in the long run, industry itself must suffer from such a process? For, after all, what is direct taxation founded on a system of exemptions? It is confiscation. It

is making war upon the capital which ultimately must employ that very industry which you wish to relieve."—[3 *Hansard*, cxxi. 16.]

I beg the House not to suppose that I have read this as any authority on the subject; but I feel that it is necessary that the sentiments which I uttered in the financial statement I made to the House six or eight months ago should be kept clearly before them. I also said—

> "We deem it our duty to impress upon the Committee and upon the country the dangerous course in which they have embarked—to impress upon them the absolute necessity, now or in another Parliament, of arriving at some definite understanding on what principle the revenue of this country ought to be raised. We deem it our duty to denounce as most pernicious to all classes of this country the systematic reduction of indirect taxation, while at the same time you levy your direct taxes from a very limited class."——[3 *Hansard*, cxxi. 35.]

Now, Sir, I cannot say that subsequent experience has changed or modified my opinions on this subject. I am clearly of opinion that, if we have recourse to direct taxation, that direct taxation should be as general, at least in theory, as indirect taxation. How far it may be desirable to modify it in practice, on the ground of expediency, is a fair subject for consideration; but I hold that the practice of establishing direct taxation on a large system of exemption is most pernicious, and ought as much as possible to be discountenanced. Well, then, Sir, I venture, in offering to the House the views which Her Majesty's Ministers entertain with respect to the property and income tax, to lay it down as a general principle that, in considering this question, we ought to make our direct taxation—in theory at least—as general as our indirect taxation. And, Sir, when I consider the very large exemptions which are connected with this tax, there is one which I am bound at once to notice, and take into consideration—the largest of all exemptions—and that is the exemption of Ireland. Now, Sir when in the early part of the year I proposed, on the part of Her Majesty's Government, that this tax on property and income should be continued for one year, I made no reference whatever to Ireland. The arrangement then made was avowedly a mere temporary arrangement. and it was therefore quite unnecessary to enter into the discussion then. But, having now to consider the question much more widely, I do not think it consistent with my duty to evade expressing the opinion of Her Majesty's Government on the subject. Sir Robert Peel, in his financial statement of 1842, when he first introduced the property and income tax, proposed to impose on Ireland, as an equivalent for the property and income tax, two other measures—the one was an increase of the duty on spirits, which, I remember, he estimated would produce 250,000*l.* a year, and the other was an increase of the duty on stamps, in matters affecting property, which he estimated would produce 160,000*l.*—making altogether 410,000*l.* a year. That was to be the contribution of Ireland to the revenue in another form, and as an equivalent for the exemption from the property and income tax. Now, I must remind the House—and it is disagreeable to have to discharge that duty—one would naturally like to be always taking off taxes, and never reminding any Gentleman that he had not perhaps paid those which had been expected of him; but it is necessary to inform the House that the measure for increasing the duty on spirits, which was estimated to produce 250,000*l.* a year, has since been rescinded, in consequence of its having been found to have stimulated illicit distillation; and that whereas in 1841, before the passing of the Property and Income Tax Act, the aggregate receipt from the stamp duties in Ireland was 470,000*l.* per annum; in the year 1852 they produced only 486,000*l.*; so that Ireland has contributed, as an equivalent for the property and income tax, instead of 410,000*l.* per annum, as was expected, only 16,000*l.* Well, Sir, but notwithstanding all this, it is impossible to be insensible to what Ireland has gone through during that interval. When Sir Robert Peel brought forward the income tax in the year 1842 it was impossible for him or the most experienced statesman to have foreseen the long catalogue of calamities which awaited Ireland. Almost every cause that could exhaust and every process that could debilitate a country and society have been brought to bear on that unhappy land. I freely admit, to use—not a classical, but a frequent epithet—that as regards its financial condition, Ireland since that period, or at least during many years, has been in a very exceptional state. But the state of Ireland is happily not now without a ray of hope. As far as I can form an opinion—and I can assure my Irish friends that I have taken the utmost pains to make myself acquainted with its condition—I think I may venture to speak of Ireland without using the language of despair, or the accents of desolation. You have had a crushing Poor Law; but what is your present position with regard even to that overwhelming evil? Is it not mitigated—is it not more endurable? Permit me to place before the House a return of the present incidence of Poor Law taxation in Ireland. I don't want to insult any Gentleman by showing him that his country is not ruined—I prefer showing him that it possesses increased means of contributing to the national taxation. I am only anxious, in fulfilment of my duty, to convey, as far as I can, a correct view of the state of Her Majesty's dominions to Her faithful Commons. Now, I have here a "comparative summary, in provinces, of the expenses incurred in the Poor Law Unions of Ireland during the financial year ended September 29, 1850, 1851, and 1852 respectively." I find from that document that the Poor Law expenditure in Ireland in 1850 amounted to the vast sum of 1,320,000*l.*; that in 1851 it was reduced to 1,129,000*l.*; that in the year ending the 29th of September last the expenditure, which in 1850 was 1,320,000*l.*, had been reduced to 885,000*l.* I find also that the decrease of expenditure in 1851, as compared with 1850, amounted to nearly 200,000*l.*, or at the rate of 14 per cent; that the decrease of expenditure in 1852, as compared with 1851, was in amount 274,000*l.*, or at the rate of 24 per cent; that the decrease in the expenditure of the year 1852, as compared with 1850, was in amount not less than 465,000*l.*, or at the rate of 35 per cent. Now, Sir, I am sure, when one has this authentic return before him, he is justified in not altogether despairing of the condition of Ireland. In Connaught alone I find that the diminution of expenditure in 1852, as compared with 1850, was no less than 116,000*l.*—or at the rate of 48 per cent. Now, Sir, in looking to the condition of Ireland, I must call the attention of the House to another document before me, because it completes the picture of the incidence of Poor Law taxation, of which we have heard so much. I don't deny that our friends in Ireland have suffered from the severe incidence of taxation. I admit that they have gone through a terrible ordeal; but I say to them, as I say to the West India interest, "What I can do for you must be with reference to your present condition, and not with reference to the past." Now here is a document which reached me just before I came down to the House, and which completes the picture of the state of Ireland with reference to the Poor Law of which we have heard so much, and from which Ireland has suffered so severely. It is addressed to me officially, and is as follows:—

"You may remember that, in September last, the sum of 30,000*l.*, being the greater portion of the balance of the Irish Rate-in-Aid Fund, was appropriated by the Treasury to the liquidation of the debts of certain unions in the west of Ireland, subject to the condition that any union assisted in this manner would thenceforth be considered as excluded from the list of distressed unions, and that, previously to such relief being recommended, the Poor Law Commissioners must be satisfied that proper provision would be made by rates for the immediate future requirements of the union. A report has been this day received from the Poor Law Commissioners describing the proceedings taken by them under the above instruction, from which it appears that all the unions affected by this arrangement, except the ——— Union" [I forbear mentioning the name] "have given the assurance and struck the rates as required, and that the reluctance of the guardians of the ——— Union to comply with the prescribed conditions does not arise from inability, but from a desire to transfer a greater share of the burden of their rates to the public."

I don't wonder at the laughter of hon. Members, and that is the reason why I did not read the name of the union.

"This declaration of solvency, in respect to all the remaining unions of Ireland about whose power of maintaining their poor any doubt remained, is a fact of great importance, and you may think proper to refer to it in your financial statement. The object of establishing a comprehensive and complete Poor Law in Ireland has been finally accomplished, and the whole of Ireland is now able to maintain its own poor, without external pecuniary assistance from any quarter. There is still a balance of the Rate-in-Aid left of upwards of 12,000*l.*, which will be more than sufficient to meet any more than usually distressed cases of particular electoral divisions."

Such, then, is a picture of the condition of Ireland. I don't say it is perfectly satisfactory. Don't let my hon. Friends from Ireland suppose that I am malignantly misrepresenting them, and that I am not doing justice to their calamities. All I ask them to admit is, that having gone through great difficulties and borne them like men, their position is now very much improved. That is all I ask. But there are other reasons why there has been some discontent evinced that Ireland has not been subjected to the income tax. People are discontented that instead of getting 410,000*l.* from Ireland, as was originally expected, when the property and income tax was imposed on this country, they have only got 16,000*l.* People, too, have been disinclined to remember—although I confess it is churlish—the actual circumstances of the case, and to forget the sorrows and calamities of Ireland; but there other complaints of a very different character, with regard to the non-extension of the income tax to Ireland. The Governor of the Bank of England has made an official complaint to me that at the present moment the Bank of England is prepared to purchase terminable annuities, but that it is impossible for him to contend with the Governor of the Bank of Ireland, in consequence of Irish funded property not paying the income tax. He says, "I have no doubt the Chancellor of the Exchequer will be receiving deputations from injured interests; but there is really no body more unjustly treated by recent legislation than the Governor and Company of the Bank of England by the property tax not being extended to Ireland." There is another point of view in which the subject ought to be considered. The amount of public funded property in Ireland is increasing yearly, and has for a long time increased, in consequence of its not being liable to the tax which the same description of property has paid in England. I mention this to show what a difficult thing an income tax is based upon exemptions. Now, Sir, I shall venture to treat this great exemption in the following manner. I do not think that it would be wise to treat with any harshness the landed proprietors of Ireland, They have suffered severely from the late famine and consequent legislation, and I should be sorry suddenly to pounce on Ireland and to say, "You shall pay your quota." I think we ought to do everything that is possible to assist that "wise, just, and beneficial" change that has taken place in Ireland; and I do not think it is expedient that we should throw any obstacles at the present moment in the wey of the regeneration of that country. But I must say this, that, remembering what has been done for that country, I shall feel it my duty, when I lay before the House the schedules of the new property and income tax, to recommend an extension of the tax to funded property in Ireland and to salaries in that country.

Sir, an hon. Gentleman, a friend of mine, with reference to this subject, asked me the other night whether Her Majesty's Government were prepared to carry into effect the recommendations of the Committee of the House of Lords with regard to the Consolidated Annuities. The amount of the Consolidated Annuities is 240,000*l.* per annum, or something like that sum. Sir, the House will recollect how the Consolidated Annuities came into existence. There was a loan made to Ireland of nearly 10,000,000*l.* Subsequently that loan was reduced in amount to about one-half. I was always one who believed that that loan was in a great degree advanced for an imperial calamity, and that it ought, consequently, to be considered in that light; and I do not object to the arrangement then made in any sense whatever. But the House will understand that the balance of that loan, after being reduced by that amount, was thrown into the form of Consolidated Annuities, which were calculated with reference to the peculiar circumstances of each case. I must refrain from entering into the discussion of this question at present, but I think I am not free to avoid all allusion to the subject. I have shown to the House to-night that in 1852, as compared with 1851, there has been a diminution in the charge of poor-rate in Ireland of no less than 274,000*l.*, and this is a sum considerably greater than the whole amount of the Consolidated Annuities. And I must beg of my hon. Friend who asked me the question to recollect what I have said with reference to those persons who in England are suffering from what they consider the unjust incidence of local taxation. I have shown that the reduction in the amount of pauperism is this year greater than the whole establishment charges, and I tell him also, that in considering this question he must remember that the state of Ireland is much improved since the recommendation made by the Committee of the House of Lords. Let me not be misinterpreted. It is the intention of Her Majesty's Government to consider the subject of the Consolidated Annuities; but they are not prepared to bind themselves in any way by the recommendations of the Committee of the House of Peers. The Government will consider the question entirely on its merits; and I have myself prepared, and will submit to the House, some Resolutions which I have carefully considered, and which I believe are justified by the circumstances, and will be beneficial in their operation; but I beg my hon. Friend not to go away under the false impression that the Government are prepared to carry into operation the recommendations of the Committee of the House of Lords.

With regard to the income and property tax, I have laid done one principle—that direct taxation should be as general as indirect taxation, and that a measure of direct taxation founded upon a large scheme of exemption ought not to be tolerated. With respect to that important measure, the property and income tax, I have to state another principle which Her Majesty's Government are prepared to assert, and that is to acknowledge a difference between permanent and precarious incomes. Sir, I will not enter into any arguments upon that subject at present. Although I have curtailed my observations as they have occurred upon the various topics which I have had to encounter, and although there is much that I must still advert to, I feel that it would be impossible that I should on this occasion enter into a discussion which deserves, and will probably receive, on the part of the House of Commons, prolonged and mature deliberation. My duty now, I conceive to be, to make an exposition of the policy that Her Majesty's Government are prepared to recommend; and all I have to do is to place that before the House in as clear a manner as I can.

Sir, viewing the property and income tax with reference to the two principles I have laid down, namely, that direct taxation ought to be in its nature as general as indirect taxation, and that it ought not to be established upon a system of exemptions; and, secondly, that a difference should be recognised by the Legislature between realised and precarious incomes, I will now offer to the House the rate of duties such as Her Majesty's Government are prepared to recommend to the adoption of Parliament. Sir, notwithstanding the large remission of taxation which Her Majesty's Government have recommended, a remission of taxation immediately amounting to 3,500,000*l.*, and eventually relieving the consumer of this country to a much greater extent, it is not the intention of the Government to recommend any increase of duty in any of the schedules of the property and income tax. I will first consider and state to the Committee the exemptions which Her Majesty's Ministers think it expedient to recognise and sanction. We shall recommend that on all industrial incomes the exemptions shall be limited to incomes below 100*l.* a year, that being the point at which we deem that wages enter into calculation. Upon incomes arising from property we take the point of exemption at below 50*l.* a year. Sir, I have now to detail to the House the rate of difference which we recommend should be established between schedules B, D, and E, and the two schedules of realised property. I have already told the Committee that we do not propose to increase the rate payable in schedules A and C. That will be taken, as heretofore, at 7*d.* in the pound. We propose that the rate on the other schedules shall be estimated at three-fourths of that rate, and therefore it will be 5¼*d.* (which will be exactly three-fourths) on schedules B, D, and E. The produce of schedule A, at 7*d.*, will be, as before, 2,649,000*l.* The produce of schedule B, the farmers' schedule, will be estimated in this manner:—We take the estimate of the profits of farmers, not at one-half the rent, as heretofore, but at one-third. We have investigated that subject, and we find that, however active trade may be, the whole tendency of late years has been to a diminution of profits, and we are persuaded that the test of the farmer's profits has been taken too high. We have taken, therefore, one-third the rent as the measure of profit, instead of one-half; and consequently, under schedule B, the farmers will pay 156,000*l.*, which in amount is exactly one-half what they pay under the present rate. From schedule C I calculate there will be received 746,000*l.* at 7*d.*, as at present. Under schedule D, at the mitigated rate, the estimate is that 1,162,000*l.* will be received, and that under schedule E also, under the mitigated rate, 248,000*l.* will be received. The total of the five schedules will be, it is estimated, 4,961,000*l.* I estimate the increase—if the exemption is limited to incomes under 50*l.* upon property, and under 100*l.* upon industrial incomes—I estimate the increase at about 431,000*l.* But I think it right to say that in that estimate I have taken into consideration the position of the clergyman whose income is under 100*l.* a year. The position in which he is placed, in the manner in which the duty is now raised, is extremely severe, and I may say unfair. He is rated under schedule A at the highest scale, whereas a Dissenting minister who has 100*l.* a year, being rated under the scale of salaries in the mitigated schedule, would have an advantage of the mitigated rate, and with an income under 100*l.* per annum would have the benefit of a total exemption. The position of a clergyman is, in fact, the position of a person working for a salary, but, from the nature of the property from which he derives the sources of his maintenance, he is deprived of the advantage of the mitigated schedule. And therefore it is necessary to make special provision for him, because he must still be assessed under schedule A. I have estimated the probable diminution from giving clergymen the benefit of total exemption under 100*l.* per annum at 30,000*l.*, but I have taken that into account, and it will not affect the figures which I have put down, of 5,361,000*l.*, as the produce of the income tax. I add for Ireland the modest sum of 60,000*l.* The total sum will be about 5,421,000*l.* Generally speaking, I think I may say that the result will be, that the property and income tax will about produce the average that is produced by the present existing Act. Perhaps it may be advisable for me to make provision for some slight diminution; but, generally speaking, I think the average will be about that of the last three years of the present tax; and, therefore, if the House should adopt our proposition, I think the result would not materially affect our financial income.

Assuming, Sir, for the moment, that the property and income tax as I have now laid it before the House will not affect our Budget of the year, it is now necessary for me to approach the Ways and Means by which the diminution of the revenue, occasioned by the measures that I have recommended on the part of Her Majesty's Government, may be met. It is necessary for me, however, before I enter upon that, to make some reference to a subject of great interest, which will have the effect of increasing the public expenditure. Sir, it will be my duty on an early occasion to place before the House a supplementary estimate for the expenditure of the present year with reference to the national defences. It will, of course, be necessary in the usual financial statement for the year 1853–4 to make an estimate which I shall have to place before the House, and to take into consideration the whole expenditure of the year; and, therefore, that will be the more convenient moment to advert to that subject. Sir, I know the great difficulty and delicacy of touching on a subject of this kind, but in my mind the difficulty is much increased and the delicacy becomes much greater by a prudish affectation of reserve, than by speaking to the House with the same frankness with which I should address them upon a less formal occasion. Sir, we are about to propose an increase—and no inconsiderable increase—in the estimates, and we may be met with the question of peace or war. Now the fact is, that the measures which we are going to lay before Parliament, and which we have the confident hope that Parliament will adopt, have nothing to do with peace or war. We should have brought them forward under any circumstances, and I believe that those who have preceded us, or those who may succeed us, would act in the same manner. Sir, when we came into office we found the estimates for the year already on the table; we accepted them on the understanding that there should be no delay interposed, but that we should be enabled, as soon as possible, to appeal to the verdict of the country; and, as there was a general understanding that they were the estimates of our predecessors, they were passed without being canvassed, and thus the progress of public business was facilitated, and the appeal to the people hastened. But, Sir, the subject was one that necessarily engaged the attention of the nation, and it was one also that must engage the attention of any Cabinet that is charged with the conduct of the Government of the country. It matters not what may be the original cause—it matters not what dynasty may be upon the throne upon the other side of the Channel—it does not turn upon what may have been said or done elsewhere—that the attention of the nation has been drawn to the state of the national defences. That attention was drawn originally by the highest military authority of the land. The effect of being so long in peace was brought to the consideration of the most industrious people in the world; it was drawn to their consideration while all the tendencies of the age seemed to secure tranquillity and happy repose. I say, that there was no panic or precipitation, but, on the contrary, a prejudice against what the people of this country supposed to be disturbing the dreams of repose and prosperity in which they indulged. But sooner or later the idea seized the public mind. It was taken more and more into consideration, and, totally irrespective of external circumstances, the nation arrived at the conclusion that this country was not in that state of defence that is necessary and desirable. They arrived at the conviction that it was of primary importance that the shores of this country should be protected, and that its defences should be complete. If I were asked, on the part of Her Majesty's Government—in no other way would I presume to give an opinion—what I thought was the tendency of the present age, and what the general course which present circumstances indicated, I should say, without reserve, speaking from the bottom of my heart and in all sincerity, that I believe the predominant feeling of the present day was peace. But I believe the measures Her Majesty's Government intend to recommend to Parliament will tend to the preservation of peace. On considering this subject after the general election, we felt it to be our duty to lose no time in recommending the necessary measures. If it be a fact—and I assume that it is a fact—that this country is not properly defended, and that it wants to be properly defended, let due preparations, we say, be made for its defence. On considering the question, we thought the best thing was to do it completely. We thought the best thing to do would be to put the Navy of this country in the position which we believe all Englishmen wish to see it; and the plans we have matured, and which, if the House will support our proposition, will be carried into complete effect, will be plans which will settle this question of our national defences for ever; that is to say, you will have all your arsenals and strong points in the kingdom defended, and you will have a real Channel fleet, which can assemble from its different rendezvous at the moment necessary, and which is the proper garrison and protection of the country. It would have been more convenient for Her Majesty's Government to defer the question—as they would have done, if they had not felt it to be their paramount duty to bring it at once before the House of Commons. They were busied with measures the tendency of which, they believe, will be in due time to reduce the expenditure and the establishments of the country. But they felt that it was totally impossible to mix up a question of this importance, and, from its nature, of this urgency, with questions of administrative reform. They felt that, if the country were not properly defended, and if the people wished it to be properly defended, the question was one which ought at once to be completely and definitively settled. Sir, we have taken those steps which we believe will insure the complete defence of this country. It will be necessary for me to ask for a supplementary estimate, so far as this year is concerned. I hope there will not be any difficulty raised on the part of the House. The state of the finances of the country, as I shall show in a few minutes, will perfectly authorise me in asking a supplementary grant for the present year, to be supplied from the Ways and Means; and next year we shall ask your approval of an estimate which will increase our general estimate about 600.000*l.*

Well, Sir, having told the Committee that it will be my duty to ask its assent to a supplementary estimate for the expenditure of this year, which has occurred since the Appropriation Act passed, I think it will be convenient if I give some account of the state of the finances, so that the Committee may form an opinion as to what our surplus will probably be at the end of the present financial year, from which the supply must be afforded for the supplementary estimates for the expenditure of the year since the appropriation. The Committee will recollect that in the early part of the year, when I offered to estimate what would be the surplus, I said the surplus would be about 460,000*l.*; but, in making that statement, I mentioned my intention of asking a vote of 200,000*l.* additional for the Kafir war. The Committee will perhaps recollect, that on a subsequent occasion I came down and announced that it was not necessary to ask for that vote; therefore the estimated surplus, according to my statement, was virtually a surplus of 660,000*l.* There has been a reduction made in the interest of the floating debt amounting to about 40,000*l.*, and that, in fact, would make the estimated surplus on the data which I had before me early in the year, 700,000*l.* I shall show the Committee how our finances are working since the commencement of the financial year on the 5th of April last. The state of our revenue is extremely favourable. I calculated at the beginning of the year that there would be a diminution of something more than 100,000*l.* upon the Customs. I took into consideration the stimulus of the Exhibition given last year to consumption, and also the further reduction which has taken place in the sugar duties. I thought, therefore, that we ought not to press too much on the Customs; that they had done their duty very well, and that we should not be alarmed this year if there was some slight diminution. The two causes to which I have referred—the great stimulus given last year to consumption by the Exhibition, and the further reduction of the duty on sugar—would, in my opinion, occasion some diminution, which I estimated at something about 100,000*l.* I think there will be that diminution of about 100,000*l.* in the Customs. From the commencement of the financial year to the present time, the decrease has fluctuated from one month to another; it has not been always such as would give a result of 100,000*l.*; at this present time it would give a little more; but, I think, my estimate will be exactly fulfilled. I estimated an increase of about 50,000*l.* in the Excise. There is at present a much greater increase in the Excise; but I am not prepared to say that at the end of the year the estimate will be exceeded; it may, perhaps, but I think we ought not to take account of that. I estimated that the Stamps would be about the same as last year. They have increased every week since the beginning of the year. Their increase has never for a moment fluctuated; and the total increase on Stamps from the 5th of April to the 27th of November, has been nearly 300,000*l.* I estimated a considerable reduction in the Property Tax. I said it was necessary to calculate that we might lose 150,000*l.* on the Property Tax. The Property Tax, like the Stamps, has been increasing every week progressively; and at present, instead of a loss of 150,000*l.*, there is an increase of 187,000*l.* It would be neither convenient nor possible to give anything like a positive statement on the subject at present; but I thought it would be agreeable to have these facts brought before the Committee in an authentic manner. I will now state my estimated surplus as virtually a surplus of 700,000*l.* It will be safe on the part of the Committee to add 500,000*l.* to that from the Inland Revenue. There will be some other increase of which they will have to take account; but certainly I think that our surplus for the current year, taking the most prudent and the coldest calculation, will, on the 5th of April, instead of being 460,000*l.*, as I estimated when I made my financial statement, be something approaching to 1,000,000*l.* more than that. I think the sum will be 1,300,000*l.* or 1,400,000*l.* I think, under these circumstances, I may ask for a vote for the increased expenditure incurred this year.

Sir, I mentioned that it was the hope and intention of Her Majesty's Government, if they were permitted to follow the course they had chalked out for themselves, ultimately, but not precipitately, to effect no inconsiderable reduction in the expenditure of the country. This, I think, is a subject which has hardly yet been fairly dealt with. Hitherto we have considered that retrenchment, and not efficiency, was the parent of economy. A Government has reduced estimates from the necessity of the moment, and there has been an apparent reduction in expenditure; but it has been always followed by a collapse, and generally the unfortunate office of supplying the deficiency of one Administration has fallen to their successors. One Administration cuts down; another is obliged to increase; and, so long as it is made a mere question of pounds, shillings, and pence, I am certain that no permanent and substantial reduction in the expenditure of the country can be obtained. I think it is the duty of an Administration to look to the efficiency of the establishments of the country, and not to the rate at which they may be maintained. If you only make your establishments efficient, you will find almost as a natural consequence that you will save money; and therefore I take it to be efficiency, and not retrenchment, which is the true parent of economy. To effect reductions in the establishments of this country is about the most ungracious task in which an Administration can embark. There is nothing easier in Opposition than to call for retrenchment; there is nothing more difficult in Administration than to comply with that demand: so long as you leave your existing establishments founded on the same principles, and carried on in the same spirit, you will arrive at the same result. I do not mean to make any observation which shall seem at all to cast censure on those by whom the permanent civil service of this country is carried on, and to whom those engaged in the administration of affairs have been so much indebted—on the contrary, the other night I had occasion to offer my tribute to their invaluable services. What they do, they do in the best manner; but they are not responsible for the establishments of the country. It is our opinion that the system of administration is not as advanced as other great operations are in this country. Whether we look to our commerce—whether we look to the other occupations of man—these have undergone more change with reference to the circumstances of the age than the establishments by which the administration of the country is conducted. How are we to deal with these immense difficulties? If you attempt reform, you have to meet the two most formidable obstacles in the world, prejudice and skill. The person who presides over a great department does not like your interfering, and he has more knowledge than you have. What can be more difficult than to effect a reform under such circumstances? I have a great respect for the House of Commons, to which I owe everything, and there is no one who more highly esteems the labours of the Committees of the House than I do. If I wanted a Committee on the state of India, for example, I do not know that I could find anywhere a body of men who could conduct such an investigation in a manner so satisfactory. You bring a large body of men round the table—skilled statesmen, eminently qualified for investigating political and financial subjects. You bring to bear on public questions the knowledge and experience of those best qualified to arrive at just conclusions, and of men of the world. But if the House of Commons, by means of a Committee, were to examine into a great public department, you would not arrive at a similar satisfactory conclusion as if the same men were investigating the affairs of India, or the operation of the Factory Act, or any subject of general interest in which the information, intelligence, and temper of men of the world may be brought to bear. You have too many men; you have men of different political opinions; and the results have been always that the inquiry has been fruitless. You have had Committees of Inquiry with respect to the Army, Navy, and Ordnance. What have you done? Nothing. But I say this: if you want administrative reform, why not apply to your great offices the same principles as those which you apply to your revenue departments? Issue Commissions, and make the Government responsible for the information they acquire, and make them act upon it. I assure the House that the Government are sincere in their attempts to effect administrative reform. There is a question of great importance, with reference to these reforms, which has long been recommended to the attention of the House of Commons; that is, the bringing of the whole revenue of the country under the control of Parliament. Well, we are prepared to recommend such a course; and when these financial measures are passed, I will take an opportunity of bringing the subject of administrative reform before the House, and I shall then explain in more detail what it is possible for me now only to touch upon—indeed, it is barely possible for me thus cursorily to advert to so important a subject—but I shall then explain the measures which Her Majesty's Government are prepared to propose. If they are supported in these measures, I believe that the effect would be most beneficial; and I believe that you will secure a reduction in the public expenditure.

There is a point on which I wish to ask the consent of the Committee. There is an establishment called the Public Works Loan Fund Commission. It is my intention to ask the House to terminate the operation of that Commission. The nature of this establishment is as follows:—It was founded on principles exactly opposite to those which at present prevail, and was organised under circumstances exactly opposite to those that now exist. In 1817 there was a surplus of labour and a deficiency of capital; 200,000 soldiers and sailors had been dismissed from the Army and the Navy. It was thought necessary to give them factitious employment, and a certain body of men was appointed, who acted gratuitously, and with the greatest zeal, integrity and ability throughout the whole time as Commissioners; and Exchequer-bills were issued in order to give employment to the people. This system went on till about ten years ago, when the issue of Exchequer-bills was arrested, and a certain annual sum was allotted from the Consolidated Fund. That system had gone on till, as I said, the circumstances are exactly the reverse of those in which that Commission was originally appointed. Instead of a surplus of labour there is a deficiency; instead of a want of capital, there is a plethora. In consequence, the Commissioners have a large balance at their command, and the system is of itself an extremely injudicious system. We propose—and I will state on the proper occasion the reasons why we think so—that this Commission should terminate, and that the repayments of the advances shall be brought into the revenue, as part of the Ways and Means—like "Old Stores."

Sir, my task is nearly terminated; and if

I have somewhat abused the patience of the Committee, I can only say, with great humility, that I hardly think any person had ever in the same time to compress so many topics into so small a compass.

It now, Sir, becomes me to explain to the House the Ways and Means by which I propose that we shall accomplish the policy which Her Majesty's Government contemplate. I will now offer to the Committee an estimate with reference to the year 1853–54, so far as reduction of or increase in expenditure are concerned on the one hand, and so far as Ways and Means are concerned on the other. I do not, of course, pretend to offer a formal estimate of what the various services will require in 1853–54. It would be perfectly absurd to offer such an estimate, and the House will not be so unreasonable as to ask it. If we remain in office, it will be my duty, at the proper time, to go into those necessary details. But I wish to take the year 1853–54, and to show what, in our opinion, will be the effect on the expenditure occasioned by the reductions we propose, and the increased estimates, and what we must supply by extraordinary Ways and Means. I take the reduction of the malt tax—making allowance for putting an end to the Scotch drawback, and for the difference of duty levied on malt from barley, and from bere and bigg, to amount to about 2,500,000*l.* That reduction will not come into operation until the 10th of October, 1853; but on that day it will be necessary for me to be prepared to pay the drawback on the stock in hand on which the reduced duty will be then levied. I take for that drawback the sum of 1,000,000*l.* The reduction of the duty on tea to 1*s.* 10*d.* a pound, calculated on a consumption of 54,000,000 lb., but subject to an increased consumption of 6,000,000 lb., will cause a loss to the revenue in the year 1853–54 of 400,000*l.* on the present amount of revenue of 6,000,000*l.* The extra estimates—

Mr. HUME: What will be the loss on hops?

The CHANCELLOR of the EXCHEQUER: The duty on hops will not be affected in the financial year 1853–54; it is all payable now for that year—and the proposed reduction of duty will not come into operation till the year 1854–55. The extra estimates for the ensuing year I take at 600,000*l.*—and perhaps I may be permitted to say—as hon. Gentlemen may be alarmed at the idea of increased estimates—that I have received, not the Army Estimates for the year 1853–54, but a private memorandum as to their results. I don't want to boast of the fact, but by that document there is a diminution on those Estimates. But I put the extra Estimates at 600,000*l.* I put the Light Dues at 100,000*l.*; therefore there will be an extra demand upon our resources to the amount of 2,100,000*l.* [An Hon. Member: 3,000,000*l.*] In order that there shall be no mistake on the subject, I will just read the items again. The loss upon Malt for the year 1853–54 will amount to 1,000,000*l.*; the loss on Tea to 400,000*l.*; the extra Estimates will be 600,000*l.*; and the Light Dues, 100,000*l.*—thus making 2,100,000*l.* Well, now for the Ways and Means. First, as to the Surplus Revenue for the year 1853–54. I have shown to the House that we may take our surplus for this year at 1,325,000*l.* or probably at 1,350,000*l.* I hope I shall never have to move another vote for the Kafir war. That came into our Budget last year to the amount of 460,000*l.* I think, however, it would be imprudent to take credit for the whole of that 460,000*l.* in our future calculations, although our recent accounts from that quarter are of an extremely favourable character, and although, so far as the financial question is concerned, which comes more immediately under my notice as connected with the Commissariat, I am very sanguine on the subject. Still it is not at all impossible that we may have to propose a financial vote for extras on account of the Kafir war; I should, therefore, say we ought to take off 200,000*l.* on account of that charge. I take, therefore, the surplus for the year 1853–54 at 1,600,000*l.*; I take the repayments, if the House accedes to my proposition with regard to the Public Works Fund being paid to the public Treasury, at 400,000*l.*; that together will make 2,000,000*l.*

It now becomes my duty to propose to the House the means by which we shall be able to increase the revenue of the country. That, it will be admitted, is the most difficult thing in the world. But, if I had the best case possible, I am not sure that I should be able to obtain the attention of the House to any extended remarks of a general nature, having already wearied the House so long, and being myself, I may unaffectedly say, quite exhausted.

If, however, the measures which Her Majesty's Government have to propose are to be carried out—and they are measures which, in my opinion, will conduce greatly to the benefit of this country—it is absolutely necessary we should put our finances in a sound position; and this is what I am most anxious to do. I want to put those finances in such a position and on such principles as shall be most advantageous to the community at large, and not to a class. I beg to observe that I have not even adverted to any particular class. I beg the Committee to recollect the general features of our plan. I have on the part of Her Majesty's Government considered the claims of all those classes which, it is now universally admitted, have been injured by "recent legislation." ["No!"] Has not the shipping interest been injured by "recent legislation?"—["No!"]—and are we not going to afford that interest relief? ["No, no!"] I beg to remind the House that I have, on the part of the Government, considered all these claims, and, I hope, in a sound and a kind, but, I am sure, not in a partial spirit. I have endeavoured, so far as I possibly could, to make propositions which should terminate those claims of classes, of which, I confess, for one, I am wearied. I have endeavoured to encourage in the House a spirit of legislation which, by creating a general feeling to unite in what may pertain to the public good, and by studying the interest of the community at large, shall show to all classes, whether manufacturing, commercial, shipping, or agricultural, that in supporting a legislation that seeks the good of the community they are, in fact, obtaining that stimulus to their own peculiar occupations which they all naturally desire. Sir, I think on the part of my friends these propositions have been met in a kind and generous spirit. There has been no attempt on their part to parade the unequal incidence of local taxation, which no man can deny they are subjected to. No man can deny that there has been a willingness on their part to adopt such an inequality, in regard to those local charges to which they are subject, in order to arrive at a complete and final settlement of this vexatious question. It is more than probable, however, that in such measures as may be brought forward, more immediately connected with their own interest, they will find their advantage and that relief which otherwise they might churlishly have sought to obtain by measures having solely reference to those peculiar burdens to which they have been so long subjected. I think I have witnessed this spirit, and that the tone in which my friends, representing more particularly the agricultural interest have met these propositions, is one which has shown them to be superior to all petty considerations, and that they are anxious to merge them in a strong national feeling.

Well, Sir, I now feel it my duty to propose some addition to the resources of the country. I will not propose any additional duty on the Customs. If we are to embark on a new system, let us do it fairly and completely. I have had proposed to me, and I dare say many persons have had proposed to them, schemes showing how the revenue may be raised by imposing a Customs duty upon articles on which the duty was perhaps precipitately and needlessly repealed. But the repeal of those duties is a part of the system which you have finally adopted, and I will not meddle with such arrangements. So far as any measures which we bring before the House are concerned, we will bring them forward in complete harmony with that great principle of unrestricted competition which the House has adopted; nor will we offer any plan for increasing the revenue which we do not think founded on the best principles of finance. Neither, Sir, are we going to propose to increase the revenue by means of indirect taxation. I will not now enter into the merits of the Customs and the Excise as portions of a system of finance; but this I will say, that although we are compelled to raise a great portion of our revenue by means of indirect taxation, it is absolutely necessary, if you will maintain the principle of unrestricted competition, that all indirect taxes, should be moderate in amount. Well, Sir, I am not going to propose any new tax. That, at least, is a point in advance; that makes less the difficulties I have to contend with. I am not going to propose a new tax. I am going to ask you to consider an existing tax. I am going to ask you to apply to that consideration the principles you have always supported; and I am going to test you whether you are sincere in the great effort to relieve the industry of this country from that yoke of excessive indirect taxation from which it has suffered so long. I am going to ask the Committee to consider the present arrangement of the house tax.

Now, Sir, I trust the House will listen to me with kind patience. I know the clamour that has existed in this country about the house tax. I am not imposing a house tax. It exists. All I ask you is to consider the principle upon which that tax is constructed. I don't know any portion of the country that has ever made greater opposition to the house tax than that portion of it which ought to be the most enlightened and public-spirited portion of the people of this country—that is, the inhabitants of the metropolis. I remember that the moment the inhabitants of the metropolis had gained political power they agitated against what they called the iniquitous house tax. But sound principles of finance were not too prevalent in those days. The inhabitants of the metropolis at that time were subjected to a very heavy taxation, and I don't know that their general complaint against the weight of their taxation was unreasonable. Being suddenly invested with political power, they rose against the immediate object which excited their attention. Remember, the inhabitants of the metropolis were subjected then to an enormous system of direct and indirect taxation. They were subject to direct taxation connected with their houses double in weight to the amount of the house tax—namely, the window tax; and, in addition to all this, they were subject to that which they have subsequently told us was infinitely more grievous, infinitely more vexatious, and infinitely more injurious than all taxes—namely, the corn laws. Now, just let me remind the House of the real state of affairs as regards the house tax. Since that time—namely, in 1834—the duty on houses was repealed. It amounted, as a revenue, to 1,198,000*l.* Since that time the duty on windows has been repealed, amounting to 1,950,000*l.*, making together the sum of 3,148,000*l.*; since that time the duty on glass has been repealed, amounting to 800,000*l.*, 400,000*l.* of which, by the official return I have, was paid by houses for windows of crown glass. Since then the duty on bricks, amounting to 465,000*l.*, and the duty on timber, to the amount of more than 1,500,000*l.*, have been taken off; and certainly I may say that one-fourth of the duty on timber was contributed by houses. Besides all this, nearly 15,000,000*l.* of indirect taxation have been repealed, and, besides all this, too, the corn laws have been repealed, which so many believed to have been a more grievous kind of taxation than all the other indirect taxation from which they had been relieved. Well, Sir, I need not say anything, at least to-night, with respect to the justice of the house tax. The greatest writers are agreed that no tax is more free from objection than the house tax. I need not say to-night to my predecessor, who, I see, is exhausted as well as myself—I need not say anything to him to prove the excellence and the justice of a house tax, for he has introduced one himself. But what I would venture to say is, that I cannot believe that when I make a proposition which is only to reconstruct on juster principles—principles which have always been eulogised in this House—an imperfect law, as it at present exists, and that when I ask to be permitted to do that in order to carry measures which will relieve to a great extent the industry of the country, and animate in the most conspicuous manner all the great branches of our trade, I cannot think that I shall hear in the year 1854 those objections to a house tax which were heard in 1834. I believe, indeed, that the persons who were most clamorous against the house tax in 1834 are now men of more enlightened minds — men who have made too much progress in this great age of improvement in which it is our fortune to live, to come forward and say that they prefer the old system of finance, which threw the chief burden of taxation on the industry of the country, rather than bear their quota in this great effort for terminating as far as possible the vexed question of taxation. I will recall the attention of the House to the principles on which the present house tax is established. It is direct taxation—and it is remarkable for all those imperfections which we say direct taxation ought not to be distinguished by. You say with regard to the income tax that a system of exemptions is intolerable, and you have encouraged me this evening, in my limited efforts to the adoption of a plan by which exemptions shall be considerably decreased. What, then, can you say to a house tax which limits its operation to houses of 20*l.* value? I want to know who can possibly defend a law of this kind? If my hon. Friend the Member for Montrose (Mr. Hume), who advocates, with respect to the income tax, such legitimate conclusions, be sincere, he cannot be in favour of a house tax limiting its operation, and exempting so large a proportion of the subject matter of it. [Mr. HUME: I divided the House against it.] That is the very thing I want. Three times have I tried to get the hon. Gentleman to say that, but I could not. I wanted to hear that from his own lips, because I was afraid that some of his new companions might have fallen into the error of supposing that my hon. Friend was not in favour of those principles which I am now advocating. But I know my hon. Friend is in favour of those principles, and I hope that he will assist me in the temperate and moderate proposition I am making. I think we ought to extend to the house tax that principle we are attempting to extend to the income tax. Exemptions are a suspicious feature in all financial systems; and nothing can be more ridiculous than to say that a house which is not rated at 20*l.* a year should be exempted, while a house at 20*l.* a year should pay the tax. Therefore I think we ought to extend the house tax; and, in the same spirit in which I would propose any of those measures I have named to-night—not wishing to push the principle to an extreme, but trying to form the public mind by degrees to a system which, I am convinced, will contribute to their welfare and prosperity, I should say it is not an unreasonable proposition to extend the house tax to houses of 10*l.* a year. Well, Sir, at present private houses pay 9*d.* in the pound, and shops pay 6*d.* in the pound. The exemption commences at below 20*l.* It is impossible that a house tax could be proposed with scantier limits. I felt at the time the tax was proposed, that, both as to the basis upon which it was formed, and the rate at which it was assessed, we were sanctioning (with great respect to my right hon. predecessor I say it) a very injudicious measure. I remember in the middle of the Session I made a feeble effort to arrest its progress, and received the sanction of the right hon. Gentleman the Member for the University (Mr. Gladstone); but it was useless at that time to oppose the measure, though I felt we were sanctioning one which we should all some day regret. I think we ought to increase the basis of the tax, and that it would be a moderate proposition if I suggest that its present basis should be extended to houses of 10*l.* a year. I don't mean that we should for ever stop at 10*l.* I do not lay that down as a final proposition; but it is an advance in the right direction, and it is all I can venture at this moment to recommend. Then, again, I think we ought to increase the rate. We must remember, that if the measures with which this proposition is accompanied are passed, a very great difference will be made in the position of the inhabitant householders; that those who are in trade will have, for the first time, recognised a difference between realised and precarious incomes in the contribution to the property and income tax—a recognition gratifying to their feelings, as well as advantageous to their interests; that a very great reduction will be effected for them in the price of two of the principal articles of domestic expenditure, by their having cheap beer and cheap tea; that the changes we propose, if agreed to, will give great impulse to their industry in largely promoting the trade and commerce of the country. Since the public first objected to the house duty, they have got rid of that duty—they have got rid of the glass duty, of the brick duty, and much of the timber duty; they have been relieved from that immense mass of indirect taxation to which I have referred; from the operation of the corn laws, to which many of them objected as the worst taxation of all; and from the window tax. And now I want to recall to the recollection of the Committee—as important to the equitable adjustment of the question—the circumstances under which the tax on windows was taken off in 1851. That repeal was not asked for by the inhabitants of houses as a relief from the burden of taxation, or because it was a grievous or vexatious tax in a financial point of view:—of course not—as conscientious, honest, honourable men, they could not put the matter in that light, after they had been relieved from the house tax, from the brick tax, timber tax, glass tax—from the general mass of indirect taxation I have spoken of—and when, above all, they were revelling in their relief from the corn laws. Oh, no! nothing of the sort; they all said that the country was never more prosperous, themselves never more happy, never more contented, and they sought the repeal of the window tax upon no financial grounds at all. What they urged upon the House, in connexion with the subject, was simply and solely the sanitary condition of the people, and they objected to the window tax, because they said, it affected the sanitary condition of the people. The allegation was admitted by the House, and the tax was put an end to. Now, if, without affecting the sanitary condition of the people, we could supply the Exchequer by a reconstruction of that house tax, which they did not seem on principle to object to—by the amount of the contribution which the inhabitants of houses formerly paid in the shape of a window duty, which they only objected to only on sanitary grounds—this cannot, I apprehend, be looked upon as an immoderate proposition. But I do not propose, in the first instance, to go so far even; I do not propose a scheme that shall levy so great a tax on the inhabitants of taxable houses as they paid in the form of window tax. My proposal is, to levy the tax upon an enlarged area, so that whatever may be its amount, its incidence may be lighter. I shall make a moderate proposition, and yet one that will enable us to place the finances of the country on a sound basis. I propose to extend the tax, as I before said, to 10*l.* houses, and that private houses rated in the whole at 15,854,126*l.* shall be assessed at 1*s.* 6*d.*, and shops rated at 10,698,452*l.* shall be assessed at 1*s.* in the pound; the whole produce being 1,723,000*l.*, that is, about one million sterling more than the present produce of the house tax, and 225,000*l.*, if I recollect aright, less than the amount of that tax upon windows, which was objected to solely on account of its effect on the sanitary condition of the people.

Now, Sir, having made that proposition, I may complete my estimate for the year 1853–4; it having been necessary for me to enter into these details in the middle of that estimate. I have shown that the extraordinary demand upon us in 1853 will be 2,100,000*l.*, the extra Ways and Means 2,500,000*l.* We shall, in this year, have only half the increase of the house tax, if the House assents to it—so that upon the whole, there will be 2,500,000*l.* of extraordinary Ways and Means to meet an extraordinary expenditure of 2,100,000*l.* As to the year 1854-5, the estimates show a loss on the malt duty of 1,700,000*l.*; there will be a loss on tea, by the further reduction of the duty of 2*d.*—allowing for the increased consumption, which I estimate at 4,000,000 lb.—there will be a total loss on tea of 567,000*l.*; on hops, of 120,000*l.*, by light-dues, 100,000*l.*, and on the whole, with the increased estimates of which I have spoken, a total sum of 3,087,000*l.* to meet. Now for the Ways and Means. There will be, I estimate, in 1854-5 a surplus of 1,800,000*l.*, for I cannot conceive that there will be any claim then on account of the Kafir war—repayments will amount to 400,000*l.*; half of the Three-and-a-Quarter per Cents will come in, for which benefit we are indebted to the most successful of modern Chancellors of the Exchequer, who had twice the honour of reducing the public debt, 310,000*l.*; and we shall further have the whole of the new house tax, 1,000.000*l.*; making, in all, a sum of 3,510,000*l.*, or something less than 500,000*l.* more than the deficiency to be supplied; and this, I think, represents a not unfavourable condition of finance.

I have now, Sir, endeavoured to place before the Committee those measures of financial and administrative reform which Her Majesty's Government are prepared at once to bring forward. The hon. Member for Montrose seemed to be surprised that no provision was announced with regard to the stamps on marine insurance and charter-parties. I would point out to my hon. Friend that this is one of those financial matters which could not be considered as coming within the scope of this preliminary statement. The Government has contented itself, on this occasion, with propounding those measures which it is prepared, with the sanction of the House, to bring into immediate operation. We have studiously abstained offering any opinion on any branch of the system of taxation on which we are not prepared immediately to act. The measures which we have thus announced are essentially practical measures. If the House sanctions them, they will, in our opinion, lay down sound principles of finance which will lead to results highly beneficial to the people of this country, and be the foundation of further measures, which we believe will prove still more beneficial. It does not become us, according to our sense of duty, to offer anything to the House of other than a practical nature, or to make any proposition which we are not prepared, with the sanction of the House, to carry immediately into effect. At the same time, we have not neglected carefully to examine the question of the stamp duties and the probate duties; and we think it not impossible to bring forward, on the right occasion, a duty on successions that will reconcile contending interests, and terminate the system now so much complained of. At present, however, we are not prepared with a measure of that kind, and we consider it, as I have said, altogether injudicious to propound any project to the House which we are not ready at once to act upon. We think we have proposed enough to-night; and we think that what we have proposed is of a character, that if acted upon, we can judiciously advance a step further. I admit that what I have now proposed is only a first step, but I trust the Committee will admit it to be a step in the right direction; we have met the great question in a large and comprehensive spirit, fully prepared, if the House will support us, to carry out the policy which I have to-night, most inadequately, I am aware, indicated to the Committee—a policy which we believe will be for the welfare of the country, because it is a policy founded on sound principles of finance, and because it has been framed with no other object than to govern the country in the manner that shall most conduce to the greatest happiness of the greatest number.

On Question "That a sum of 17,742,500*l.* be granted to Her Majesty to pay and discharge outstanding Exchequer Bills,"

MR. GOULBURN said: It is not my intention on this occasion to enter into the extensive field of inquiry opened up by the statement of the right hon. Gentleman; but I wish to put one or two questions on points which he has not very clearly explained. He has omitted to state whether he proposes the income tax as a permanent tax for the future or not—a point most important in dealing with the question. I should also be glad to know whether the right hon. Gentleman, in reducing the malt duties, intends to repeal the prohibitive duties on the importation of foreign malt, and whether, also, he proposes to repeal the import duty on hops? The right hon. Gentleman will perhaps also state what he proposes to do with regard to the use of molasses in breweries, and with respect to the equalisation of the duties on rum? I further desire to enter my protest against a principle which, as I understand, is enunciated by the right hon. Gentleman. He proposes, if I understand him right, to impose a higher rate of income tax on income derived from funded property than that which he proposes to impose upon other classes of property. In Ireland the tax will be imposed on funds alone. In England a rate of duty is to be imposed upon funded property different from that which is imposed on other property. This is the very question on which Mr. Pitt defeated Mr. Addington, when the income tax was renewed in 1803. Then I object to the nature of the exemption granted to funded property and to other property; one class being exempted at 50*l.*, and the other at 100*l.* The principle thus violated is one which has always been considered, and which every statesman for the last fifty years has considered, and of which the House has testified its recognition, as a sound principle—that all income, from whatever source derived, must, in justice to the contract on which the fundholder lends his money, be subjected to an equal rate of charge.

LORD JOHN RUSSELL: I am not going to make any observations on the statement which the right hon. Gentleman has made; but I wish to ask a question with regard to the mode in which he intends to proceed with the various propositions which he has laid before the House. He must be aware that with respect to many of those duties, and especially concerning his proposition, the house tax, the country will be very anxious to learn the decision of the House. Indeed, if we were now in February the right hon. Gentleman would expect us to come to a specific Resolution on this subject; but at this season of the year I suppose he will propose some other arrangement by which the public interest will be served. I should wish to know the course which he intends to pursue.

The CHANCELLOR OF THE EXCHEQUER: I intend to propose certain Resolutions, and then, if they are acceded to, I shall bring in the necessary Bills. Of course, as regards the duties on tea, I should wish that the reductions should take immediate effect, subject of course to the final decision of the House—an arrangement which I believe will not be attended with any difficulty. I will propose these Resolutions on the earliest day which will be convenient to the House. I do not at present know the feeling of the House on that subject, and I am afraid to appear to be urging the House to a precipitate conclusion; but if there is no objection I would propose this day week. It is not for me to state to the House the day on which they should take these Resolutions into consideration—it is my wish to give them a fair time for the consideration of the subject—

but, as I have already said, if they would not think this day week too precipitate, I will propose the Resolutions on that day.

SIR CHARLES WOOD said, that he was not going to make any observations on the propositions of the right hon. Gentleman. He merely wished to offer a remark or two upon the course of proceeding to be followed. If the proposition of the right hon. Gentleman were merely to reduce the tea duty, or to increase the house duty, he should think it perfectly possible that Resolutions carrying out those measures might be proposed, discussed, and decided upon on Friday next. But surely the right hon. Gentleman did not propose, with so brief an interval, to pass Resolutions involving a complicated scheme, which it had taken him five hours to explain, involving questions of the most difficult nature, on which the most different opinions might be entertained, and which, as he said, hung very much together. A Gentleman might be perfectly ready to agree to a Resolution for the reduction of the tea duties—which was a matter of no great amount, and which might be dealt with out of the existing surplus; but it could not be supposed that the House would be ready to agree without much consideration to his propositions with respect to the income tax, to the increase of the house duty, or to the reduction of the malt tax. And he thought it was quite essential that before they committed themselves to large reductions of taxation —such as the proposed reduction of the malt tax—they should be quite sure that they were ready to vote the subsequent proposition. Let them be sure of the Ways and Means before they rushed into rash reductions. He was not a little alarmed when, on the first day of the Session, he heard the noble Earl at the head of the Government declare in another place that the final measures to be proposed by the Government to carry out their principles might lead to financial embarrassment. Nor was his alarm diminished by what he had heard that night. If the House was ready to assent to the increased taxes proposed by the right hon. Gentleman, then no doubt the reduction might be effected. But he was sure that no man in his position would think himself justified in making so large a reduction as two-and-a-half millions until he had secured those measures on which he relied to make up the deficiency in the revenue thus created. Nor did he think it likely that he could pass his measures with regard to the income tax, the house tax, and the malt tax, before Christmas. The doubling of the house tax and the reduction of the malt tax were comparatively simple questions; but, with regard to the income tax, the right hon. Gentleman must be aware that by his propositions he would raise four or five questions of vital importance, that he could have no hope of settling before Christmas. He wished to know what course the Government intended to pursue on these questions, and particularly with regard to the income tax and the house tax?

The CHANCELLOR OF THE EXCHEQUER, who was indistinctly heard, said he had never heard a more ingenious perversion of a speaker's words than that just made of his noble Friend's words by the right hon. Gentleman. The observations of the noble Earl at the head of the Government to which the right hon. Baronet had alluded, had not the slightest reference to anything that he had said or proposed. The noble Earl said that we had embarked on a system that might lead to financial embarrassment; but that the noble Earl had said that anything which he (the Chancellor of the Exchequer) might bring forward might lead to financial embarrassment, was one of the most monstrous statements that he had ever heard made in that House. He firmly believed the measures which he had proposed were as sound as could be proposed, and that they were calculated to conduce to the general welfare. He admitted that his statement had occupied him five hours, and he was very sorry for it, seeing that, besides wearying the Committee, he had given himself a great deal of trouble and labour. He was anxious that the opinion of the House should be taken upon these subjects as soon as possible; and he should, therefore, on Friday next propose to the House Resolutions to carry into effect his recommendations with respect to the reduction of the tea duty and the increase of the house tax. The income and property tax did not expire until the 5th of April, and it was not, therefore, necessary immediately to deal with that; nor should he think of asking the House to consent to the reduction of the malt tax without seeing their way perfectly clear with respect to the means of meeting the deficiency which would be thus created. He never made a proposition in that House of which he did not think that the general effect was to maintain public credit. He would, as he had said, propose on Friday next Resolutions with respect to the reduction of the tea duties and the alteration of the house duties; and if the House agreed to them they would then see their way clear. He thought that that course would be perfectly fair. With respect to the income tax it was certainly proposed by the Government plan that it should be continued for three years, nor did he know that it was necessary, if the House agreed to that proposition, that the Government should state what their intentions beyond that time were. We all knew that the financial system of the country must depend to a certain degree upon direct taxation; but he did not think the income tax was at all the best form in which that direct taxation might take place. He found, however, the country habituated to that tax, which had thus become less objectionable to them; and he knew that if he had proposed a new direct tax to an equal amount, they would not have borne it. He did not, indeed, propose the income tax as a permanent feature of our financial system; for he thought it quite possible, if the same amount of direct taxation were necessary, that a better form might be adopted. He had, however, great confidence in the consuming power of this country, and he thought that it might progress in such a manner that we might ultimately be able to raise our revenue by indirect taxation. He was not prepared to say that the time might not come when it would be possible to raise fifty millions per annum by indirect taxation. The right hon. Gentleman opposite had asked whether it was the intention of the Government to propose the equalisation of the duty on rum. That was not a question on which the Government were prepared to make any proposition. The right hon. Gentleman had also asked whether the Government intended to repeal the duty on foreign malt, which he described as prohibitory. There was no prohibitory duty on foreign malt. There was an absolute prohibition. Now, it was clear that, if the prohibition ceased, we must have a duty on foreign to counteract that on domestic malt, and we must also take into consideration the duty now imposed on foreign barley.

Lord JOHN RUSSELL said, he wished to make no objection to the mode of proceeding proposed by the right hon. Gentleman, provided the House were informed precisely of what was to be the question before them. As he understood the right hon. Gentleman, he would propose Resolutions on Friday next, by which the tea duty was to be reduced, and the house tax increased. If the right hon. Gentleman would on Monday lay before the House the form of the Resolutions by which he proposed to do this, he (Lord J. Russell) would have no objection to considering the propositions on Friday.

Mr. HUME was glad that this conversation had taken place, because on a question of such a complicated character it was desirable that the House should see its way perfectly clear. He thought it would be right that the House should be called upon to decide whether the income tax was to be a permanent part of the taxation of the country or not. With the exception of the proposition with respect to the light-dues, he agreed entirely with the recommendations of the Chancellor of the Exchequer, every one of which had been urged again and again on that (the Opposition) side of the House; but he must express his great regret that the right hon. Gentleman should have merely proposed to reduce the duty on hops. It ought to have been entirely abolished; for after the proposed reduction of 1*d.* per pound, the expense of collection would be nearly equal to the revenue raised, while the same amount of vexation consequent upon an excise tax would be left as at present. Then with regard to the malt tax, he was either for removing it altogether, or not touching it at all. The proposed reduction would not destroy the brewers' monopoly, nor remove the inconvenience attending an excise duty; there would be a loss to the revenue without the consumer being benefited thereby. He agreed with the noble Lord that the first question for the House to consider was, whether they were prepared to agree to the proposed increase of taxation. He thought that if their concurrence in that was to be the condition of the reduction of the duty on tea, he could propose an easier way of making up the deficiency; and that was, by imposing a tax on the descent of real property, which had not yet paid a single shilling, while up to this period 89,000,000*l.* had been levied on personal property. He thought the time had come when all particular privileges should be done away with, and the whole community should be treated as one interest. It was impossible that the plan proposed should meet with the approbation of the country, setting up, as it did, the country against the town. If the right hon. Gentleman had wished to place our finances on a simple footing, what could have been more easy than to have repealed the house tax, and to have added one per cent to the property tax, which would have been more than would have been required. He objected, also, to the proposed exemption of the land of Ireland from the income tax. He had always called for justice to Ireland; but he was not one of those who would give equality of rights to that country without also calling upon her to bear her fair share of the public burdens, and he thought that no system of taxation that might be adopted would be satisfactory to the country until Ireland was placed on the same footing as England. If the Irish claimed equality of rights, they should also be proud to claim equality of taxation. He thought that the first question to be decided was, whether they should double the house tax. Then with respect to the income tax, the House should decide whether it was to be a permanent part of the revenue of the country, for if it was, they must immediately have a Committee to decide upon the mode in which it should be levied, and whether they would be justified in agreeing to the exemptions proposed by the Government. He should propose that a tax of 1 per cent on the descent of real property should be added to the house tax. He could not help regretting that the Chancellor of the Exchequer should have fallen short of the principles which he had himself enunciated.

Sir B. HALL wished to state the course which he should feel it his duty to take when the House went into Committee of Ways and Means. When he sat on the other side of the House he moved, when the continuance of the income tax was proposed last year, that it should be extended to Ireland on the same footing as it was now levied in England. That Motion did not receive the support of the then Government, but it was generally supported by the then Opposition, who now occupied the Ministerial benches. When, therefore, the House went into Committee, he should take the opportunity of again proposing the Resolution which he had moved last year. With regard to doubling the house tax instead of imposing other taxes, he agreed with the remark of his hon. Friend the Member for Montrose, that the Ministerial proposition was one setting town against country; and against that they had to fight.

Mr. LABOUCHERE said, that as to the proposition of the right hon. Gentleman with regard to the shipping interest, he thought he was a little deficient in candour in his statements on that subject. He would have led the House to suppose that since the navigation laws were repealed, nothing had been done in the matter of light-dues, or in any other matter in which the shipping interest was concerned. Now he (Mr. Labouchere) would go with the right hon. Gentleman in every measure that he proposed for the relief of the shipping interest with the utmost cordiality; but when he proposed to relieve them of 100,000*l.* of light-dues, he could not help reminding him that since the repeal of the navigation laws, the late Government, in concurrence with the Trinity House, had relieved them of light-dues to a much greater amount than that. Owing to the measures taken by the late Government in concurrence with the Trinity House, the light-dues paid by the coasting trade had been reduced to one-fourth of what they originally were. He had no desire to make any observations on the statement of the right hon. Gentleman, for he felt that the attention of the House was exhausted by the great and complicated questions that had been raised; and any observations upon them would come with much better effect after the propositions of Her Majesty's Ministers had received the deliberate consideration which they deserved. There was, however, one point upon which he felt so strongly that he must say a single word—the point alluded to by his right hon. Friend the Member for the University of Cambridge (Mr. Goulburn). He said it in no spirit of taunting, but he could not help thinking that the right hon. Gentleman (the Chancellor of the Exchequer) had not considered that part of his Budget by which he proposed to extend the income tax to Irish funded property only, exempting the land of Ireland, and the professional incomes of Ireland—that was, to select for taxation a particular class of property, and that the one which rested on the pledged faith of the country. He was convinced that the right hon. Gentleman had not studied this part of the subject. He could not have read the opinions of Mr. Pitt, Lord Grenville, Lord Henry Petty, and of every financier who ever held high office in this country, or he would have seen how grossly such a proposal violated the principes of public faith; and he was sure that the right hon. Gentleman would be the last man to propose that, for a miserable and paltry sum of 60,000*l.* per annum, this country should allow a stain to rest for a moment on the national honour. He (Mr. Labouchere) must give up every opinion he had derived from the great men to whom he had referred, if he did not believe that the proposed plan to tax property in the Irish funds, to the exclusion of all other kinds of property in that country, was utterly at variance with every principle upon which the good faith of the country, and the public security in it, rested.

MR. CAYLEY said, that he believed the sentiments of his right hon. Friend the Chancellor of the Exchequer upon this point had been entirely misunderstood. He was sure that no one who read his speech would come to the conclusion that he wished to tax the Irish funds to the exclusion of any other kind of property. He understood him to state distinctly that the land and all other property in Ireland were just as amenable to the income tax as any property in this country, but that he would not at this moment impose any increase of taxation upon that part of the property of Ireland which had lately suffered so grievous a calamity. Nor had he heard anything in the lucid statement of his right hon. Friend which was calculated to raise the question of country against town. He had heard many Budgets, but never one more comprehensive and impartial. He meant to deal with all the interests that had been suffering for the last two or three years in what was called the spirit of "recent legislation." With respect to what had fallen from the hon. Member for Montrose, he must observe that he and others who acted with him were favourable to direct taxation until it came to be applied to themselves. Nobody was more favourable to the total repeal of the malt tax than he (Mr. Cayley); but the power of the Chancellor of the Exchequer was limited. He believed that the full benefit of the repeal of that tax would not be felt until the whole was repealed; but he must remind his hon. Friend (Mr. Hume) that he had always opposed propositions for the total repeal. Indeed, not to confine the observations to him, he might remark, that the year before he first brought forward the question of the repeal of the malt tax in the last Parliament, the hon. Members for the West Riding (Mr. Cobden) and for Manchester (Mr. Bright) had proposed it; and yet when he introduced his Motion one of these hon. Gentlemen absented himself, and the other opposed it. He trusted that the propositions that his right hon. Friend had made would receive the impartial consideration of the House. Although not committing himself to an unreserved approbation of the whole of them, he begged, on the part of his constituents, to tender to the right hon. Gentleman his thanks for what he conceived to be the best Budget that he had ever heard.

MR. JAMES WILSON said, he wished to put a question to the Chancellor of the Exchequer with regard to one part of his statement. The only proposition that he had made with respect to the West Indian interest was, that sugar should be permitted to be refined in bond. Now, when that question was discussed two or three years ago, two methods were proposed on which the refining was to be carried on. One was, that the refiners should be permitted either to refine in bond, or to refine sugar on which the duty had been paid; and the other was, that they should be obliged to refine in bond. Now the right hon. Gentleman did not state which of these two methods he intended to adopt; and as it was of the greatest possible importance to those concerned in sugar refineries to know this as early as possible, perhaps the right hon. Gentleman would now state the course he proposed to pursue. With regard to the observations of the right hon. Gentleman the Member for the University of Cambridge, with respect to the extension of the income tax to Ireland, he must observe that he hoped the House would not depart from the principles on which they had hitherto acted with respect to this tax.

MR. FITZROY said, that he understood the Chancellor of the Exchequer, in the beginning of his speech, when referring to the burdens of which he was going to relieve the shipping interest, to allude to the duties on marine insurances, at the same time stating that it would be perhaps more convenient to the House that he should mention, in a subsequent part of his speech, the amount of revenue which he was prepared to sacrifice. He thought, however, that the right hon. Gentleman omitted to state the amount of the sacrifice under that head; and he should be obliged to him if he would now inform the House whether the duties on marine insurance were included in the 100,000*l.* which he proposed to take off the shipping interest. He wished also for some further explanation with respect to the amount of revenue which the Chancellor of the Exchequer was prepared to abandon; for, while he understood him to say that the reduction on the malt tax would amount to two millions and a half per annum, he also understood him to say that the only loss on this head during the year ending the 10th of October next would be one million, which he should have to pay in drawbacks. He did not understand him to include any part of the remaining million and a half that would be sacrificed. Did none of that, however, come into account in the financial year ending the 5th of April next?

The CHANCELLOR OF THE EXCHEQUER said, the hon. Gentleman had entirely misunderstood the observations he had made upon the tax on marine insurances. What he had stated was, that the shipping interest had made representations to the Government of the burdens which pressed upon them; and, having treated upon some of these burdens, he came to that of the tax upon marine insurances and charter-parties, and he said that this was a subject which bore upon the general finances of the country, and that therefore he should not now advert to it. In those preliminary observations which he had made he had not entered into details, and in a subsequent portion of his remarks he said that the Government would then confine themselves to those measures only which they were prepared to pass; that the whole question of stamp duties and probate duties had undergone consideration; but, as the Government were not then prepared to recommend any but practical measures, he should not advert to them more particularly. With regard to the malt duty, he had stated that the Treasury would be called upon to repay, by way of drawback, 1,000,000*l.* to the maltsters, and that therefore there would be a loss to the revenue to that amount in the course of the first year, 1853; and then he calculated that the loss arising from the reduction of revenue in the following year would be 1,700,000*l.*, which made up the amount mentioned by him in his original statement.

MR. MACGREGOR regretted that the right hon. Gentleman had proposed so long a period as five years for effecting the reduction of the tea duties to a shilling duty. With regard to the house duty, he thought that it would be far more just to add the amount of it to the income tax and to make it all one impost, than to propose it in a separate form. When these questions should come before them for discussion, he believed that the majority of opinions out of doors would be found to agree with his own.

COLONEL SIBTHORP owed it as a duty to his country to say that he could not approve of the measures brought forward by the right hon. Gentleman. He (Colonel Sibthorp) was in favour of protection to all British interests; but there was one interest in particular which had been declared by the right hon. Gentleman to be in a state of great suffering, but of which no notice was now taken. With regard to the malt tax, if only half of it were remitted, they would have all the same difficulties and vexatious proceedings that were complained of at present. He had heard from the right hon. Gentleman that poor-rates were diminished. Why were they so low as they were at present? Because the farmers had stepped forward and given protection and relief to the labouring class, in order to keep them from the parish. He, for one, had always objected to the income tax, because it was properly a war tax, and ought not to be imposed in time of peace. But though he disapproved of the right hon. Gentleman's proposals, yet, comparing one Government with another, he must say that the late Government was worth nothing; while it still remained to be proved whether the present Government was wholly worthless, and he was therefore willing to give it his support as far as he could.

MR. CLAY said, the right hon. Gentleman had not given the House the details of those measures which he had proposed affecting the shipping interest; but, with regard to the spirit of those measures, he begged to offer the right hon. Gentleman his congratulations and thanks for the relief projected. He (Mr. Clay) had voted against the repeal of the navigation laws solely upon the principle that, along with the privileges it took away, it did not take away its burdens also. As the representative of a constituency deeply interested in this question, he was convinced of the necessity of removing these burdens.

SIR J. DUKE expressed his thanks to the right hon. Gentleman for the interest he had evinced for the welfare of the shipping interest, by giving them that attention to which they were so justly entitled.

He wished to ascertain from the right hon. Gentleman, whether it was the intention of the Government to make any alteration in the poor-law settlement and removal, which was a question of great importance affecting the city of London, where the inhabitants were subject to a very heavy tax for the support of casual poor?

MR. HUDSON could not withhold an expression of the gratification with which he had heard the statement of the right hon. Gentleman with regard to the shipping interest, which would be hailed by his constituents with much pleasure. He rejoiced at the right hon. Gentleman's statement, that the shipping interest would be put now upon a fair footing to compete with foreign countries, and he hoped nothing would prevent the carrying out of the measures contemplated. The timber duties formed another grievance, which he hoped ere long to see redressed.

MR. ALCOCK begged to tender his thanks to the Chancellor of the Exchequer for his proposal to repeal one-half of the malt tax. He thought that the whole of that tax ought to be done away with; but he was willing to accept the right hon. Gentleman's proposition by way of instalment. With respect to the tea duties, he, for one, was perfectly satisfied with the proposed reduction. He regretted that the Chancellor of the Exchequer had not made up his mind to carry out the income tax to the fullest extent possible, so that every man in the country might be taxed, be his income what it might.

MR. FREWEN felt bound heartily to thank the right hon. Gentleman the Chancellor of the Exchequer for the very able statement he had put before them, and for a plan which he believed would, in various ways, be beneficial to his constituents. He wished particularly to call attention to one subject in which a great proportion of his constituents were interested—he meant the heavy dues at present levied on shipping in the shape of passing tolls. He did not know whether the right hon. Gentleman was acquainted with the system of taxes on shipping established in France, which he thought well worthy of being adopted in this country. Every ship which went into a French harbour knew what it had to pay for harbour dues, whilst it had nothing to pay for lights. This was a matter in which improved regulations were loudly called for, as many of our harbours were in a disgraceful state. With regard to the proposal to take off half the malt tax, he was strongly of opinion that this would lead to but a trifling loss of revenue. On the subject of the hop duty, he would not now pledge himself as to moving any Amendment on the Ministerial proposition, feeling bound in the first instance to consult his constituents. For the plan in general he again begged to thank Her Majesty's Government.

Resolution put, and agreed to.

A second Resolution, "That a sum not exceeding 2,000,000*l.* be granted to Her Majesty for defraying a like amount of supplies voted for the service of the year 1852 and the preceding year," was then put from the chair, and agreed to.

MR. LABOUCHERE inquired whether the right hon. Gentleman would lay on the table on Monday the precise terms of the Resolutions on which his measures were to be founded.

The CHANCELLOR OF THE EXCHEQUER answering in the affirmative,

House *resumed.*

The House adjourned at a quarter after Eleven o'clock till Monday next.

HOUSE OF LORDS,

Monday, December 6, 1852.

MINUTES.] *Took the Oaths.* — Several Lords.
PUBLIC BILL.—2ª Bank Notes.

BUSINESS OF THE DAY.

EARL GRANVILLE, who had a Motion on the notice-paper relating to the recording of Votes in Committee, said he felt he ought to make some explanation and apology to the House for not immediately postponing that Motion until another day, seeing that there was a Motion upon the paper immediately following his, having reference to the commercial legislation of the country. If he had expected that there was to be either a general acquiescence or a general debate upon the subject of what he might now describe as the glorious termination of an experiment which had been going on for six years in regard to our commercial legislation, he should immediately have taken the course of postponing his Motion to another day. That did not appear, however, to be the case. The noble Earl opposite (the Earl of Derby) had decided on taking a different course; he had declined either to agree in the words of the Resolution which was moved by his Colleagues in the other House, or to the form of words adopted by those same Colleagues, and a great majority of their supporters, in that House; and he had proposed words, as it appeared to him (Earl Granville), totally unmeaning as a declaration from a House which, by its repeated votes upon the corn laws, the sugar duties, and the repeal of the navigation laws, had given its fullest sanction to the existing legislation on those subjects. His noble Friend (the Marquess of Clanricarde), who had been one of the earliest and most consistent supporters of free trade—having, perhaps, a desire to have unanimity in that House, and also to show a spirit of conciliation to the furthest possible extent; and influenced, perhaps, by a feeling that those words, although they had little meaning in themselves, obtained some value from a former declaration of the noble Earl (the Earl of Derby) bound the House firmly and unreservedly to the commercial system which had been established—had consented to adopt those words, and had also concurred in deprecating any great discussion on that question. The House appeared also to come to a sort of understanding, although a hurried one, that there should not, at all events, be any division on the subject; and there was also a general impression that no very great discussion would take place. This being the position of the question, and as it assumed an aspect of such little importance, he was unwilling to withdraw from the orders a question, the consideration and settlement of which would prove of great utility in adding to the value and credit of their Lordships' Committees. But the slightest intimation from either side of the House would induce him to deviate from that determination, and postpone it to a future day.

The EARL of RADNOR said, he understood his noble Friend (Earl Granville) to say that he would either withdraw his Motion, or postpone it till a future occasion, if he was given to understand that some debate would arise on the Resolution in the paper respecting the commercial legislation of the country. His noble Friend had also alluded to an understanding which he supposed to have taken place in their Lordships' House on a former occasion with regard to that Resolution. He (the Earl of Radnor) begged to say he was no party to that understanding, and he did not feel himself bound by it. It was now some years since he had been in that House, and a few days ago he should have said there was no chance of his putting his foot inside its walls again; but when he saw the terms of the Resolution that was proposed to be moved by his noble Friend, so entirely subversive did they appear to him (the Earl of Radnor), of the principles which had been sanctioned by their Lordships' House, and exactly contrary to the understanding given out by Her Majesty's Government on the subject of free trade or unrestricted competition, that he had come up to town to take his seat in their Lordships' House that day, for the purpose of moving an Amendment. Since he had come into the House, he had been given to understand that another noble Lord had given notice of his intention to move an Amendment, in order that the matter should be discussed. He could assure his noble Friend (Earl Granville) that whatever power he possessed should be exercised in securing an ample discussion of the Resolution.

EARL GRANVILLE said, after what had fallen from the noble Earl, he did not think he should be justified in pressing on his Motion; and he should, therefore, postpone it until to-morrow.

COMMERCIAL LEGISLATION—FREE TRADE.

The MARQUESS of CLANRICARDE rose for the purpose of moving the following Resolution:—

> "That this House, thankfully acknowledging the general prosperity, and deeply sensible of the evils attending frequent changes in the financial policy of the country, adheres to the commercial system recently established, and would view with regret any renewed attempt to disturb its operation or impede its further progress."

It certainly would be unpardonable in him to trespass at any great length on their Lordships' attention, after the general understanding which had been come to among noble Lords on a previous occasion, that there should not be a division on the question. But at the same time, as objections had been taken to the course which he had felt it his duty in rather difficult circumstances to adopt, he hoped their Lordships would allow him for a short time to endeavour to meet these objections. In the first place, it had been objected that it was perfectly unnecessary that any Motion whatever should be made on the subject in that House; and in the next place, he now understood that the original Motion which he had intended to propose to their Lordships was about to be moved as an Amendment by his noble

Friend behind him (Lord Beaumont)—namely, that their Lordships should adopt the same Resolution which had been come to by the other House of Parliament. Now it happened that the original Resolution, of which he (the Marquess of Clanricarde) gave notice, was conceived in those very terms; but that Resolution being objected to by the noble Earl opposite (the Earl of Derby), he (the Marquess of Clanricarde) then framed another, which he certainly thought would have met his concurrence; but the noble Earl objected to that also. He then, for the sake of obtaining what he thought would be a unanimous vote on this subject in that House, consented to take the words which the noble Earl had himself prepared, which were certainly not the words which he (the Marquess of Clanricarde) should have liked to have moved if he had merely consulted his own feelings, but which he had adopted for the reason he had given on a former day. He now found himself in that unfortunate position which he believed was not uncommon to men who, when they endeavoured to gain unanimity by concession, ended in finding themselves more or less opposed by all parties; a lesson which, in future, should not be lost upon him. Now he was of opinion that that House should move in this subject on two distinct grounds: first, that it was due, under the circumstances in which they were placed, that the question should be directly brought before them; and next, it was desirable, for the sake of the question itself, that that House should pronounce an opinion decidedly affirmative of the commercial system which he thought had been so happily established. And, although those two grounds were distinct in themselves, he thought that the reasons by which they might be supported were more or less identical. Let their Lordships consider the position in which they now found themselves. Early in this year the present Ministry acceded to office. He had no doubt that their Lordships were now, as hitherto, prepared to grant to them that general support, without which the Ministers of the Crown could not continue to perform the duties they owed to their Sovereign and to the nation at large. But upon one question apprehension was not unnaturally felt. He said, "not unnaturally felt," because he was quite convinced the noble Earl would not tell their Lordships, as had been said in another assembly to the amazement and the amusement, he thought, of all who had heard or read it, that the Protectionist party in this country had not wished since 1846, or in the least endeavoured, to have a return to a system of protective duties on foreign corn. He (the Marquess of Clanricarde) therefore said that it was not unnatural that there should be the greatest apprehension felt, when that party, with the noble Lord opposite at their head, acceded to office early in this year, upon that subject which the country had wished should receive a Parliamentary settlement. It would be also in their recollection that noble Lords on his (the Marquess of Clanricarde's) side of the House, and several other noble Lords, had pressed the noble Earl opposite very strongly for a decided declaration of the policy the Government meant to adopt on that subject. The noble Earl, however, deferred to make any declaration on the question—he refused, in fact, to do so—until an appeal had been made to the sense of the country; but he distinctly intimated that after the general election Parliament should be called to assemble in order that the question should be finally settled. It was in conformity with that promise that their Lordships were then assembled. Now he (the Marquess of Clanricarde) said, if Parliament were called together in order that the sense of Parliament might be taken on any particular question, it was not constitutional for a Minister of the Crown, and it would not be wise for that House of Parliament, to submit that that sense should be supposed to be taken by a vote taken only in the House of Commons, without bringing the same question for settlement before their Lordships' House. But the noble Earl (the Earl of Derby) had said he considered that this question was sufficiently noticed in the Speech from the Throne, and in their Lordships' Address in reply to that Speech. There could be no doubt that the terms of the paragraph in the Queen's Speech implied that, under the system recently established—under what had been called there and elsewhere "recent legislation"—the prosperity of the country had been increased, and its condition improved; but it should be remembered that it also distinctly implied that serious injury had been inflicted on certain important interests, and inferred that the industry of the country could not be carried on under a system of unrestricted competition without some extraordinary legislation on the subject. Now, whilst the Address in reply to the Speech from the Throne was being considered by their Lordships, their time and attention were so much engrossed with a sense of the many and important duties which they had to discharge, and which had since been honourably executed, that they were then unwilling unnecessarily to go into the discussion of this great question. He therefore thought it was wise and well that no Amendment was moved either in that or the other House of Parliament on the Address to the Throne; and that when the subject came under consideration in the House of Commons no attempt was made either to negative the Resolution, or to get rid of it by moving "the previous question." Now, he said, it would have been wise and right for the Government themselves to have come forward and proposed a Resolution on the subject; and he was still bound to say, what he had said on other occasions, that he thought under all the circumstances the Resolutions which it would have been best for their Lordships' House to come to were those adopted by the other House of Parliament. He felt all the force, authority, and weight which a concurrent vote of all parties in the other House of Parliament commanded; and if their Lordships' House would unanimously agree to any vote which would confirm the established commercial policy, he believed their unanimity would in every respect have an equal weight, force, and authority. He could not therefore say, that he regretted having acceded to the proposition of the noble Earl at the head of the Government. But there was another reason why he thought that their Lordships' House should have moved in that question, and why a vote of that House would have carried with it even greater weight than the vote in the other House of Parliament, namely, that they had in that House the First Minister of the Crown. He (the Marquess of Clanricarde) knew that, constitutionally speaking, all the Ministers were responsible for the advice which they might give to the Crown; but no man could deny that the First Minister of the Crown was the immediate medium of communication between the Cabinet and the Sovereign, and that, in the estimation of the country, he was always considered—wielding, as he did, such immense patronage, and deciding, as he must ultimately, all the deliberations of the Cabinet—as the most responsible person in the Government. Nor could it be denied that the noble Earl opposite (the Earl of Derby) had been the head and chief and the mainstay, as well as the ornament of the great party who had been identified with the principle of protection; and therefore it was, that he (the Marquess of Clanricarde) thought that in that House this question should have been fairly and fully brought under their Lordships' consideration. Again, the noble Lord the Secretary of State for Foreign Affairs was charged with the conduct of all diplomatic negotiations between this and foreign Governments, and it was absolutely necessary that there should be no misapprehension with respect to this question in the diplomatic communications which might pass between the Government of this country and those of Foreign States—for he well knew the importance of an agent abroad not being exposed to hints that his instructions were not entirely in accordance with the personal feelings of the Minister. He knew also how much weight was there attached to the feelings of people in office in this country; for, when he had the honour to represent Her Majesty at the Court of St. Petersburgh, he was, when conversing on commercial questions, over and over again met on the subject of the corn laws with the assertion that he knew very well in his heart this country would never agree to the repeal or to any great modification of the corn laws. It was in vain that he asserted his own opinion on that subject, for he then undoubtedly believed that the corn laws would not last long as they then were, and that many years would not elapse before a change took place. He knew, therefore, that it was of great importance that diplomatic and consular agents should be known to be acting according to the opinions of the Minister at home. Now, the Resolution which had been agreed to by the other House of Parliament was passed by an overwhelming majority, and one which was not more remarkable for its numbers than for the elements of which it was composed; and he could not for the life of him understand why the noble Earl and his Friends chose to draw a distinction between the vote of their Lordships' House and the vote of the Chancellor of the Exchequer and their Friends and Colleagues in the other House of Parliament. He did not wish to attribute motives; but one of two things must have been the cause of that. Either the noble Earl and his Colleagues opposite were not sincerely agreed in opinion with their Colleagues in the other

House, or else they felt themselves weak in that House, and unable to carry the vote and the measure which they desired. He (the Marquess of Clanricarde) was free to say that he did not wish to throw the slightest doubt upon the sincerity of the intentions of the Government on this subject; and that was another reason why he was content to adopt the words of the Resolution upon their Lordships' paper. The words of the Resolution suggested by the noble Earl, and which he (the Marquess of Clanricarde) had now to propose, were brief; but brief as they were, they were still stronger than the Address in reply to the Speech from the Throne; for this at least is stated directly, and in plain language—that that House adhered to the commercial system recently established. Now, that was an important statement for the House and the country to obtain from the noble Earl. He knew also the Resolution was not extracted from the Government in the slightest degree as a compromise; for he believed in his heart that the noble Earl and his Friends were now prepared to act in conformity with the principles of free trade, and not upon the principles of that which had been well termed elsewhere the "exploded," if not "obsolete," system of protection. Even if he had entertained any doubt on that subject, it would have been dispelled by the remarkable statement contained in the Budget brought forward on Friday evening in the other House of Parliament by the Chancellor of the Exchequer, and which he thought was free from all taint or vice of what might be called protection; and he was content to take it as the best possible test of the sincerity of the Government of the noble Earl opposite. It was impossible for any man who had been party to that Budget to come down and talk to the other House of Parliament in the strain of such a notice of Motion, for example, as stood on the books of that House in the last Session in the name of Sir John Pakington. But if their Lordships were going to frame a Resolution which should be really worthy of their Lordships' House and this subject—if he (the Marquess of Clanricarde) was going to look simply to the subject abstractedly, and not to consider the position in which they now were, or in which the other side of the House might be with reference to the other House of Parliament—it was not to the Resolution which was adopted by the other House—it was not to the Resolution—which he thought infinitely preferable to that adopted—proposed by Mr. Villiers, that he would look; he should go no further than the Journals of their Lordships' House, where he found the immortal protest written by Lord Grenville, in 1815, on the subject of the corn laws, and which was in entire conformity with his own sentiments. Their Lordships would forgive him if he read that memorable document. It was in these terms :—

"Dissentient—1. Because we are adverse in principle to all new restraints on commerce. We think it certain that public prosperity is best promoted by leaving uncontrolled the free current of national industry; and we wish rather, by well-considered steps, to bring back our commercial legislation to the straight and simple line of wisdom, than to increase the deviation by subjecting additional and extensive branches of the public interest to fresh systems of artificial and injurious restriction. 2. Because we think that the great practical rule of leaving all commerce unfettered applies more peculiarly, and on still stronger grounds of justice as well as of policy, to the corn trade than to any other. Irresistible, indeed, must be that necessity which could, in our judgment, authorise the Legislature to tamper with the sustenance of the people, and to impede the free purchase and sale of that article on which depends the existence of so large a portion of the community. 3. Because we think that the expectations of ultimate benefit from this measure are founded on a delusive theory. We cannot persuade ourselves that this law will ever contribute to produce plenty, cheapness, or steadiness of price. So long as it operates at all, its effects must be the opposite of these. Monopoly is the parent of scarcity, of dearness, and of uncertainty. To cut off any of the sources of supply, can only tend to lessen its abundance; to close against ourselves the cheapest market for any commodity, must enhance the price at which we purchase it; and to confine the consumer of corn to the produce of his own country, is to refuse to ourselves the benefit of that provision which Providence itself has made for equalising to man the variations of season and of climate. 4. But, whatever may be the future consequences of this law at some distant and uncertain period, we see, with pain, that these hopes must be purchased at the expense of a great and present evil. To compel the consumer to purchase corn nearer at home than it might be imported from abroad, is the immediate practical effect of this law. In this way alone can it operate. Its present protection, its promised extension of agriculture must result (if at all) from the profits which it creates by keeping up the price of corn to an artificial level. These future benefits are the consequences expected, but as we confidently believe erroneously expected, from giving a bounty to the grower of corn, by a tax levied on its consumer. 5. Because we think that the adoption of any permanent law for such a purpose, required the fullest and most laborious investigation. Nor would it have been sufficient for our satisfaction, could we have been convinced of the general policy of so hazardous an experiment. A still further inquiry would have been necessary to persuade us that the present moment was fit for its adoption. In such an inquiry we must have had the means of satisfying ourselves what its immediate operation will be as connected with the various and pressing circumstances of public difficulty and distress with which the country is now surrounded; with the state of our circulation and currency; of our agriculture and manufactures; of our internal and external commerce; and, above all, with the condition and reward of the industrious and labouring classes of our community. On all these particulars, as they respect this question, we think that Parliament is almost wholly uninformed; on all we see reason for the utmost anxiety and alarm from the operation of this law. Lastly. Because, if we could approve of the principle and purpose of this law, we think that no sufficient foundation has been laid for its details. The evidence before us, unsatisfactory and imperfect as it is, seems to us rather to disprove than to support the propriety of the high price adopted as the standard of importation, and the fallacious mode by which that price is to be ascertained. And on all these grounds we are anxious to record our dissent from a measure so precipitate in its course, and, as we fear, so injurious in its consequences."—[1 *Hansard*, xxx. 263.]

These were sound doctrines—they were sound doctrines in 1815, and they were sound then, and they would be sound to all future years, supported as they were by increased knowledge and practical experience of the subject. What effect on such reasoning as this can those transitory circumstances have, to which the noble Earl referred on the first night of the Session? He said it was to emigration and the influx of gold that the general prosperity of the country was attributable. He (the Marquess of Clanricarde) would say, those matters producing great effects in themselves, had nothing to do with the sound principles on which their commercial system had been established, and to which the present prosperity of the country was mainly to be attributed. He could not say, and no man could be impious enough to say, that free trade alone would secure them against unpropitious seasons and adverse times; but experience proved that in seasons of adversity, to free trade they must resort for relief and sustenance; and in the days of prosperity free trade was the best foundation they could have to prolong and establish that prosperity. Was it in times of an overflow of gold, or of extraordinary prosperity, that the law was first altered? No: it was forced upon their convictions by one of those visitations of Providence that occasionally occurred, when it was found the corn law would not stand for a moment. No man objected in times of distress to what were called the Orders in Council, or to the sweeping away of those corn laws. And if it be true, as was well said by the noble Earl on the first night of the Session, that there had been a gradual recurrence to prosperity in the condition of the people during the last three years, had they not the fullest practical proof, if practical proof be wanting, that the only system on which the country could rely, either in prosperity or adversity, was the system of free trade? He had no doubt that that system would never be altered; and it was a comfort to him that the first vote he gave when he had the honour of a seat in that House, and every vote he had given since, had been in support of the principles of free trade. The question was then differently situated from what it was at present, but he had the honour of seconding the Motion proposed by Lord Spencer in 1841, when the proposition was not for the immediate and total abolition of the duty on corn, but for the adoption of a moderate fixed duty. It was then objected, that if they adopted the proposition it would lead to the repeal of the corn law: He never doubted it, but he could not doubt also that it would have been much better if they had acceded to that proposal, and the total repeal of the duty on corn had been made more gradual than in 1846. He hoped the feeling of the House would be unanimous that this Resolution at least should be adopted. He was anxious they should at least have a unanimous vote of the House, agreeing in the great principle that the commercial system now established should be adhered to; for even such a vote as that would put an end to the controversy, and establish free trade (whatever may take place in other countries) as the system of this country for ever.

Moved to resolve—

"That this House, thankfully acknowledging the general prosperity, and deeply sensible of the evils attending frequent changes in the financial policy of the country, adheres to the commercial system recently established; and would view with regret any renewed attempt to disturb its operation or impede its further progress."

The Earl of ABERDEEN: My Lords, I should have been unwilling to disturb that unanimity which at one time was likely to prevail on this occasion; but, at all events, I should have felt myself constrained to make a few observations on this subject. My Lords, it may or may not be proper or expedient for this House to come to some resolution or vote affirming the policy of free trade and that system of commercial legislation which has been recently established. For my own part, I could be well pleased to have left the matter precisely as it now stands; and I would not myself have advised or proposed any vote of this description; and for these reasons: I think, in the first place, that this House has already pronounced a very decided opinion upon this subject. Since the year 1846 the whole course of our legislation has been in accordance with the spirit of the enactments then passed. We have done nothing to indicate the slightest intention towards any reaction. Even the noble Earl opposite and his Friends, when they sat on this side of the House, notwithstanding their vehement speeches and the addresses they so frequently made to the House on the subject, as far as I recollect, abstained from making any Motion that had that tendency. Certain it is that the House never adopted any Motion that could give any indication of a tendency to reaction towards the old system. That being the case, we are the same body as we were at that time—we are not, like the House of Commons, a changing body, in whose case an appeal to the people was required to know what the opinions of that House on the subject might be. Our opinion may, therefore, be clearly taken now, according to all experience and precedent, to be precisely as it was pronounced in the year 1846; therefore, I should, for these reasons, see no necessity to call upon the House to come to any fresh decision upon the subject. Another reason why I think any vote on this subject unnecessary is, that it is not, in my opinion, a vote to which your Lordships can come with any practical result, or which can be of the slightest importance on this subject. I believe the question of the corn laws is settled finally and irrevocably, and that whatever your vote be it will not affect it. If it be in affirmation, you will only affirm that which has been already firmly established; if, unfortunately, it should be adverse to that system, while I should regret it for the sake of your Lordships' character, it would only exhibit the impotence of this House when opposed to the voice of reason and the strong desire and feeling of the country. I say that this question is settled. When I look to what has recently taken place—when I look to the result of the last elections—when I look at the unequivocal demonstration of public opinion —when I look to the late vote of the House of Commons, and hear the declarations of Her Majesty's Ministers themselves, I take it for granted that the question is not only settled, but that the time is come when I may, as one of the oldest and most intimate of the friends of the late Sir Robert Peel in this House, feel myself fully justified in congratulating the friends of that great Minister — in congratulating the House and the country—on the final and complete success of that system for which he suffered so much, and for which he made great sacrifices. I trust I may believe that the contest of the last six years is now finally closed, and that the name of Sir Robert Peel, which was pursued with so much persevering and relentless hostility, may now be received with blessings, and remembered as that of the benefactor of his country. I cannot, perhaps, expect that noble Lords opposite will join with me in using this language; nevertheless, it is the language that has received the sanction of the country, and the feeling which it expresses is deeply impressed on the hearts of the people. I have said that I do not see the necessity of calling upon this House for any resolution or any vote on this subject; but I must confess that I never did expect to see such a Resolution submitted to us as that which is now proposed by the noble Marquess. When the noble Marquess announced his intention of moving a Resolution on the subject, I took it for granted that he was about to move the adoption of the Resolution which passed the House of Commons by an overwhelming majority. The noble Marquess stated that that was his intention, and even to-night he has declared that he prefers the Commons' Resolution to the one he himself moved. It is difficult for me to comprehend why that Resolution should be objected to by the noble Lords opposite. My noble Friend at the head of the Government certainly, on the first occasion when the noble Marquess introduced the subject in this House, stated that the Resolutions agreed to by the Commons did not proceed from the Government, but were the result of a compromise in some other quarter. But what difference does this make? It is a compromise I admit, but if you accept the compromise, surely you are as much bound to assent as cordially, if you act in good faith, to the compromise, as if the original proposition had been adopted. I, therefore, cannot understand the motive for the objection to it, or what difference there is between its originating on the part of the Government, and the Government accepting it—

particularly when they consider the success of that Resolution as a species of triumph. But when the noble Earl objected to the Resolution of the Commons when proposed by the noble Marquess, on the ground that it had not originated with the Government, the noble Marquess set himself right on that point, because he afterwards proposed a Resolution that was placed on the Votes of the House of Commons by a distinguished Member of Her Majesty's Government. That Resolution is, I confess, not at all to my taste, and I would not willingly have approved of it if it had been brought forward by the noble Marquess; but at least it did acknowledge some benefits to have arisen from this system which we support; and the advantages that are accruing to the country from the system of free trade and unrestricted competition were to a certain extent admitted. But my noble Friend at the head of the Government did not give that Resolution either his approbation, and he laid upon the table, or suggested to the noble Marquess, the Resolution which we are now considering. I am bound to take for granted, and to believe, that the noble Marquess, in moving this Resolution, thinks, and is convinced, that he is acting favourably to the interests of that cause which he has long supported. I must say, however, that if I did not feel that this question was removed altogether beyond your power and control, and that the country entertain a very different opinion, I should feel some degree of apprehension. I think that this Resolution would be a greater step to reaction than any we have seen since the year 1846. What is this Resolution? This Resolution asserts that "the House, thankfully acknowledging the general prosperity, and deeply sensible of the evils attending frequent changes in the financial policy of the country, adheres to the commercial system recently established, and would view with regret any renewed attempt to disturb its operation, or impede its further progress." Let your Lordships just observe the terms of this Resolution: first, you acknowledge the general prosperity; but you do not attribute this prosperity to any cause—you attribute it to Providence. Well, I am the last man to deny that all the good we possess is due to the bounty of an overruling Providence; but in this case I must say that Providence has blessed human agency, and we have a right to attribute the general prosperity in a great measure to that system which has been recently established in this country. Then you go on to state that you adhere to this system, and you would regret to see it impeded. Why? Because the change would be inconvenient—because you deeply feel the inconvenience of variations and changes in our commercial policy. But surely a change is as inconvenient from a bad system to a good one, as from a good one to a bad one—

The Earl of DERBY: The word is "evils," not "inconvenience." If the noble Earl wishes to make comments upon the Resolution, let him at all events take care that he is commenting upon that which it contains.

The Earl of ABERDEEN: I assure the noble Earl that I will not make any comment but what I conscientiously feel to be applicable to the Resolution. My variation from the literal terms of the Resolution was quite unintentional—I did not now read the exact words of the Resolution, thinking the substance would be sufficient. The Resolution is precisely in substance what I have stated, the words being, "deeply sensibly of the evils," instead of the "inconvenience," as I stated. You acknowledge the "evils" of frequent change; so it may be inferred that the "evil" exists as much when the change is from bad to good, as when it is from good to bad. I say further, that, looking to this Resolution, the logical and fair inference is, that you would change if you could do so without exposing yourselves to evils. Supposing it is only the evils attending change you would prevent, then I say the inference is that you would change were it not for the evils that would attend it. That is not a sufficient ground for adhering to the system which you profess to adopt. No, my Lords, if you adhere to that system, it is because it is wise, and just, and beneficial: and that is what I should like you to vote. I therefore think the Resolution placed on the Commons' Votes with the acceptance of the Government infinitely preferable to that moved by the noble Marquess; and it was framed studiously to meet the convenience of the party which acts with noble Lords opposite, and to avoid giving offence to them. Although, I say, I should like to vote that the system of free trade is wise, just, and beneficial, I do not call on your Lordships to join in that vote, nor do I expect you to do so; but, at the same time, I must protest against being any party to the support of a Resolution which is immeasurably below the amount of my own convictions on the subject. I do not wish to enter at large into the question; but I could not help expressing the strong feeling I entertain of the total inadequacy of the Resolution to its professed object.

LORD BEAUMONT said, that he had no doubt that the object of the noble Earl opposite was identical with that of his noble Friend near him. He believed it was his sincere and earnest wish that the long-vexed question of free trade or protection should be finally settled, and that Parliament should give a pledge, as far as it was able, that in future their commercial and financial system should be based upon the principle of unrestricted competition. That he believed to be the sincere wish of the noble Earl, and to be likewise the object which his noble Friend had in view in proposing this Resolution. He believed that the desire of all parties was, that in the present Parliament they should not lose the ground which had been gained in past years; and that, although the question of free trade had been re-opened by the Government on its first accession to power, they would now counteract any evil effects which might have thence arisen, and place themselves in the same position as after the passing of the great Act of 1846. He believed that both the one and the other of the noble Lords thought that if this question, which had been re-opened, was to be again settled, and finally settled, as the system of policy to be adopted, their Lordships' House should not be passed over, but should be in some way consulted, or at least considered. He believed that both the noble Lords saw the necessity of passing some Resolution in that House; and if that was their opinion, he agreed with them on that point. He thought that except such a Resolution was passed, embodying the opinions their Lordships wished to express on the subject, no pledge would have been given by Parliament to the country. It was not by one branch of the Legislature that it should be passed, but by both; and he considered that a Resolution passed by their Lordships' House must produce a considerable effect in the country. That House peculiarly represented the landed interest, and such a pledge from them would afford the firmest assurance with regard to their intentions. The commercial and mercantile interests had given pledge after pledge and vote after vote on the question, and what was wanting was a pledge from the landed interest, which had hitherto been conscientiously opposed to the measure, that in future the policy established in 1846 would not be disturbed. So far he agreed with what he believed to be the intentions of both the noble Lords; but then came the question how it was to be done, and it appeared to him that there was only one course to take, and that was the straightforward and simple course of adopting the Resolution passed in the other House with the assent of the Government, voted for in the other House by some leading Members of what once was called the Protectionist party, and carried by an overwhelming majority. By doing so, they would concur in and endorse the opinion of the other House, and thus give a double security to the country. He owned he could not see any difficulty in the adoption of it; and if there was any difficulty, the last quarter from which he should expect an objection to come was Her Majesty's Government. There might be a difficulty to get some ultra parties to agree to it who wished to adhere to what were now called "obsolete" opinions. They could not expect unanimity, but of this he had felt sure, that at least they would have all the Members of the Government with them; also, that they would have noble Lords at his side of the House with them, and that they might even hope for the support of those who did not think the Resolution went far enough. He agreed perfectly with the description given by the noble Earl opposite of what the Resolution ought to be. The noble Earl said it ought to be framed so as not to take such a retrospective view as would reflect upon the conduct of those who firmly, conscientiously, and ably, had opposed the measures of 1846. Certainly he agreed that the Resolution should be such as in no way to insult or reflect upon the conduct of those who had acted the part of Opposition in that year. But did the Resolution passed by the other House do that? Was it possible that that Resolution could have done it, when they looked to the names of the men who voted for it? Would the Government themselves support a Resolution that reflected upon the conduct of every Member of the Government? Would such leading men connected with the agricultural interest as Mr. Cayley, and others who supported it, vote for that Resolution if it were a reflection on the conduct of the landed interest in past times? He must consider that the Resolution pass in the other House reflected in no way those who formed the Opposition in past years. The noble Earl opposite also wished that the Resolution should be framed so as not to imply that free trade was the sole cause of the prosperity of the country; but the Resolution passed by the other House did not imply anything of the sort; it merely stated that the admission of corn had cheapened food, and materially tended to the welfare of the country. He agreed that it should not be said to be exclusively the cause of the prosperity of the country, because it could not be denied that the importation of gold had a considerable influence. He thought it must be apparent that, considering the nature of the law regulating the Bank Charter, the importation of gold had an influence; but the main reason for the prosperity of the country no doubt had been the cheapening of food. He presumed the noble Earl was prepared to affirm that assertion, for it was to be found in the Resolution drawn up by the Cabinet themselves, and proposed as an Amendment in the House of Commons. Under these circumstances, the Resolution passed by the other House appeared to him (Lord Beaumont) to have nothing objectionable in it. The noble Earl, however, actually declined to agree to the Resolution which had been passed by such an overwhelming majority in the other House, and which had obtained the support of his own Colleagues in that House. What other conclusion could be drawn from such an objection than that the noble Earl believed, in the other House a Resolution had been adopted which materially reflected on the conduct of those who had been opposed to the free-trade policy. This was a dilemma from which the noble Earl could not escape; he must either believe the Resolution to be such that its adoption by Government was a condemnation of themselves, or that it was altogether unobjectionable. The conduct of the noble Earl was inexplicable, it was contradictory, it condemned here what it approved of elsewhere, and he Lord Beaumont thought the whole position of things so extraordinary, that he felt justified in coming forward at the eleventh hour and proposing an Amendment. On the noble Earl's objecting to the same Resolution that had been passed by the Commons, the noble Marquess showed his complacency by withdrawing it. He next proposed to move the Amendment suggested in the other House by the Chancellor of the Exchequer, and agreed to at a Cabinet Council. Even that was objected to by the noble Earl. The complacent Marquess again gave way: he withdrew the second as he had done the first Resolution. The noble Earl then suggested a Resolution himself. What did the noble Marquess do then? He complacently agreed to accept it. He (Lord Beaumont) thought that the good nature of the noble Marquess would have been exhausted by this. But the noble Earl went a little further. He said, "Now that you have abandoned your original Resolution, have withdrawn your second Resolution, and have accepted my words, do me a little favour and propose them yourself." That scene passed rapidly before the House on Thursday night. In a few minutes not only did the noble Marquess abandon his original and his second intentions, and accept the words of the noble Earl, but he also undertook to propose the Resolution of Government—and this he did in two minutes after he had had heard its terms. He (Lord Beaumont) was himself so surprised and astonished at what passed, that he did not know where he was; whether his noble Friend (the Marquess of Clanricarde) had turned Protectionist, or what was the state of things. The whole appeared to him such a scene of confusion, that though he disapproved of the arrangement that was come to, and was rather ashamed of the occurrence of so undignified a scene in the House of Lords, he was so taken by surprise that he could not get up to give notice of any Motion. He had since then reflected upon the subject; and he could not conceive that any advantage, but on the contrary that great disadvantage, would be derived from adopting the Resolution now before their Lordships. He was convinced of the necessity of something being done in that House, and he was at the same time convinced, that the only proper, effective, and simple plan was to adopt the Resolution which had been agreed to by the other House, and to place it on their Lordships' Votes. Had it not been for what fell from the noble Earl opposite as to the propriety of that House doing anything at all, he might have been contented to have rested the Amendment which he should propose, upon the grounds he had already stated. But the propriety of that House coming to any resolution having been doubted, it was absolutely necessary that he should state the reasons which struck him in favour of such a course. The noble Earl opposite (the Earl of Derby) was some months ago called to power; not in consequence of any immediate act of his own—not in consequence of any successful Motion, or in short, of any proceeding in which he had taken part. The noble Earl thus entrusted with the Government was perfectly free to adopt what course he liked with regard to the question of protection and free trade. It was true he long ably led an Opposition, the chief bond amongst whom was the principle of protection; but called as he was thus suddenly to power—not in consequence of any Motion he had made in favour of protection, not having pledged himself to a positive Motion, but having merely expressed his opinions in Opposition—he was perfectly free when he acceded to office to adopt what course he pleased on these questions. And had he forthwith announced that having taken into consideration the circumstances of the country, and what had happened since 1846, he thought it would be just, wise, and beneficial to continue the course of policy which was then adopted, he (Lord Beaumont) thought that he would have been fully justified in so doing, nor would the noble Earl ever have heard from him one word of condemnation. The noble Earl, however, did not say that he was prepared either to adopt or to abandon protection; he reversed what was the constitutional view of the province of Government—for instead of doing as all other Governments had done, and laying down a certain policy and leaving the country to decide upon it, he declined, on the part of the Government, to propound any positive policy on the subject, and went to the country in order that it might tell him what he was to do. Now, he (Lord Beaumont) maintained that this was not a constitutional proceeding, and that it was an unfortunate and dangerous precedent. He did not blame any noble Lords for changing their opinions on this subject, or for seeing the necessity under the circumstances—whatever might have been their predilections—of abiding by the policy which had been adopted; but for a Government not to lay down a line of policy at all for six or eight months, and then to take it from the country, was, he must maintain, an unconstitutional and dangerous proceeding. But still, when the noble Earl took this course he gave certain pledges. He said that he would leave the question open to the country, and would carry out their decision. This, he (Lord Beaumont) must say, the noble Earl had done. He did leave the question open—to such an extent, indeed, that he allowed some Members of the Government to speak in favour of protection, and others in favour of free trade. The country had now spoken out, and by a majority had declared in favour of the continuance of the policy which had been recently adopted; and the noble Earl had fulfilled the pledge he gave to call Parliament together in the autumn to consider and determine the future commercial policy of the country. Nor could he condemn the terms in which the Queen's Speech on the opening of Parliament was couched. The noble Earl rightly thought that it was not proper to put into the mouth of the Sovereign any very strong or positive expressions of opinion upon the course of policy to be adopted. What was the next thing to be done in order to show the intention of the Government and the Parliament to abide by the decision of the country? The Government said, "Wait until we come to the Budget, and you will see that our Budget will be in conformity with free trade." Other parties, however, were not satisfied with the case as it stood—they were not satisfied with the declarations of the Government, though the noble Earl had certainly made a very clear statement during the debate on the Address—about which he (Lord Beaumont) never had any doubt as to his opinion. It was, however, still thought by some Members of the House of Commons that it was necessary that such a Resolution should be passed as should show the country, and also foreign Powers, what we were about to do, and should leave no doubt on the subject. As the Government did nothing, a Resolution was brought forward by these parties, worded in such a manner as to give good ground for the objection, that it reflected too much upon the past conduct of some parties. The Government then proposed a Resolution of their own; subsequently another Resolution was proposed, which the Government accepted. Talk of a compromise on this—it was nothing of the sort—the Government liked the second Resolution so much that they withdrew their own Resolution and adopted it. The case was infinitely stronger than if they had chosen between that Resolution and the Motion of the hon. Member for Wolverhampton. Then it might be said that they adopted it as a compromise; but what they actually did was to adopt it in the place of the Resolution framed by themselves. Indeed, if he was not mistaken, the Government themselves moved this third Resolution. The Government had, he thought, up to this point, fulfilled all their pledges, and had done as much as they could to bind this Parliament. What remained, however, was to get that pledge of the House of Commons endorsed by that House of Parliament, so that the opinion of the whole Legislature (including that of the House of Lords, as the Representatives of the landed interest) might be fully expressed. But here, at the last moment, the noble Earl paused; and by refusing to accept the Resolution already adopted by his Colleagues in the Government, he was undoing what had already been done; he was re-opening the case and throwing doubts on the sincerity of many parties, and casting a slur on those who voted for this Resolution in the other House of Parliament; and he was running the risk of enabling foreign Powers to say that we were not sincere—that the great landed interest as represented by the House of Lords had refused to pledge itself to free trade, and that even the Government saw the case so strongly that it had introduced a Resolution which had been described as a reactionary Resolution by the noble Earl near him (the Earl of Aberdeen), who, of all persons, should be accustomed to the diplomatic way of viewing these things. On these grounds he was prepared to move the Resolution as passed in the House of Commons, as an Amendment on the Motion of the noble Marquess; and he did intreat the House and the noble Earl at the head of the Government to adopt that Resolution, and thus to place the House of Lords in one of the most noble and exalted positions which could be occupied by any public body, namely, that while many of them still thought that their interests would be benefited by the contrary system, they yet come forward to sacrifice those imagined interests, and, disregarding their former predilections and an obstinate adherence to their own opinions, to declare that the great measure of 1846, having been the means of doing great good to the masses of the people, having mainly contributed to their welfare, having fed the hungry and relieved the destitute, they, the House of Lords, as representing the landed interest, were prepared to come forward, and in the most clear, straightforward, and loyal manner to endorse and support the Resolution adopted in the other House, and thus to show that the Legislature and the Government were of one mind upon this subject, and were agreed in support of the free-trade policy involved in that measure. The Lord concluded by moving an Amendment—

"To leave out from 'That' to the End of the Motion for the Purpose of inserting—

"'It is the Opinion of this House that the improved Condition of the Country, and especially of the Industrious Classes, is mainly the Result of recent Legislation, which has established the Principle of unrestricted Competition, has abolished Taxes imposed for the Purposes of Protection, and has thereby diminished the Cost and increased the Abundance of the principal Articles of the Food of the People:

"'That it is the Opinion of this House that this Policy, firmly maintained and prudently extended, will, without inflicting Injury on any important Interest, best enable the Industry of the Country to bear its Burthens, and will thereby most surely promote the Welfare and Contentment of the People:

"'That this House will be ready to take into Consideration any Measures consistent with these Principles, which, in pursuance of Her Majesty's gracious Speech and Recommendation, may be laid before it.'"

The EARL of DERBY: My Lords, I certainly was desirous of waiting somewhat longer before I addressed the House, in order that I might know what view your Lordships generally take of the position in which we are at present placed, and of the Motion and the Amendment now before you. But as no noble Lord appears to be inclined to rise after the Question has been put, I feel it my duty not to allow this question to pass in absolute silence on my part, although I shall enter but very shortly upon the general topics which are considered to be involved in the Resolution and the Amendment. I am desirous, in the first place, of calling your Lordships' attention to the position in which the subject is now placed by that which took place in this House in the course of last week. It will be in the recollection of your Lordships that on Tuesday last the noble Marquess who has brought forward this Motion gave notice of his intention to move a Resolution upon the subject of the free-trade policy of the country, without at the time giving notice of the precise terms in which he intended to bring the question forward. In the course of a short conversation which took place on that occasion, I stated to the noble Marquess the grounds on which I hoped that this House would be spared the necessity of any conflict of opinion upon this subject. I stated that, in my opinion, it was most desirable that the past should be consigned to oblivion, and that your Lordships should look to that which is really important—the future policy of the Government of this country, and the principles upon which our commercial policy is to be based. And I then stated to the noble Marquess—although I had not written anything down—the substance of an Amendment which I wished to submit to his consideration, for the purpose of seeing whether it would not meet the views of himself and his friends. My Lords, it was then the intention of the noble Marquess, if he brought forward any question, to have given notice on the Tuesday for this day, so that noble Lords in the country might have an opportunity to come up to record their opinions, and that those remaining in London, if any important discussion should seem likely to arise, might not leave town, but might remain here. I then suggested to the noble Marquess that he should take the course of postponing his final decision on the subject until Thursday, and that in that case, if he still persisted in his intention of moving a Resolution to which I felt that considerable objection would be made on this side of the House, he should then extend the period of the notice so as to give the same time for its consideration and of the Amendment, and for the attendance of the House, as he had originally intended. When I came down to the House on Thursday, the noble Marquess met me in the ante-room, and proffered to show me the precise Resolution which he was about to move. I had by that time written down the words of the Resolution which I proposed to ask your Lordships to adopt, and upon which words I ventured to think there would be that which the noble Marquess—sincerely, I have no doubt—professes to desire, and which I think all your Lordships would admit to be desirable—a unanimous concurrence in the view to be taken by this House. I placed these words in the noble Marquess's hands. He did not immediately return them to me. He stated, and stated very properly, that before he could adopt them he must consult with his friends. Who those friends were with whom he consulted I know not; but I do know that a very considerable period elapsed, during which we were waiting for the noble Marquess: and when he returned into the House he stated to me that he was perfectly satisfied to adopt my words, although he would wish to place upon record the words which he himself had suggested; that he was quite willing to accept as a substitute the words I had proposed, in order that there might be no division of opinion among your Lordships upon this subject. In consequence of that the scene took place which the noble Baron who spoke last has somewhat humorously described, but which was by no means that series of concessions on the part of the noble Marquess to demands on my part which he has represented. I suggested certain words, and the noble Marquess stated, that although he preferred his own words, yet to obtain unanimity, to prevent the possibility of a division, and to render unnecessary the attendance of Peers on a future day, he was willing to accept my words; on which I put them across the table to him, and said, "Perhaps, if that be the case, you had better move them yourself, to avoid even the appearance of a hostile Amendment being moved." That was the scene which took place; and, for my own part, so far from thinking that it was a scene discreditable to the House of Lords, I think it a good example of the manner in which political opponents in this House are in the habit—and always, I hope, will be in the habit—of dealing with each other—with frankness and courtesy; and, so far as possible, of endeavouring to conciliate opposed opinions, rather than unnecessarily to embitter differences, and to have recourse to unnecessary divisions. The noble Baron must have been aware that, in consequence of that conversation, no division was expected, and that, but for what might almost be considered technical grounds, the Motion might have been put and carried that very evening. That was on Thursday. But the noble Baron says, that he was taken so entirely by surprise that he lost the power of speech. Now I must say that, when the noble Baron loses the power of speech, I should think that he is in a very bad way indeed, for I have never seen the noble Baron so surprised but that he could be tolerably fluent whenever he wished to express an opinion on any subject—tolerably fluent, whatever we may think of the arguments he uses. But how long did his surprise last? Why, he slept over it. He came down to your Lordships' House on Friday. Had he not then recovered from his surprise? Had he not then made up his mind as to the course which he should pursue? Could he not on Friday night, consistently with the usage and practice of this House—if he intended to depart from that general agreement to which the House had come, and if he were not still in that state of surprise and astonishment which he has described—have given notice of his intention to move an Amendment? But instead of that, having told the friends who usually act in conjunction with me, that it was unnecessary for them to attend the House—that, in consequence of the general agreement, they were perfectly at liberty to go about their ordinary, and personal, and private occupations—I am told for the first time, on coming down to the House this evening, that not from this but from that side of the House an Amendment is about to be moved, and, consequently, that we must prepare for a hostile division. Now I put it to your Lordships on both sides of the House, independently of the merits of the question, whether, after what passed on Thursday night, and in face of the fact that no notice of an Amendment had been given on Friday night, you can, consistently with the ordinary practice of the House, consent to support the Amendment moved by the noble Baron? My Lords, I will not now enter on the question whether any Resolution was necessary on the part of the Government. I did not think that any Resolution was called for on the part of the Government; and so far I agree with the noble Earl (the Earl of Aberdeen). But it being the opinion of the House of Commons, and it being also the opinion of some Members of this House, that it was desirable that a public record should be made of the intentions of Parliament with regard to the future, which should, as far as anything of the sort can do, bind this and the other House of Parliament to adhere to the present system of commercial legislation, I made no objection then, nor do I make any now, to that which I conceive was desired—that the House should place on record, and beyond doubt, the principles on which the Government intends in future to act. The noble Baron (Lord Beaumont), differing from some others, has done me the justice to say that he does not greatly blame the course pursued by the Government up to the present moment; and that, whatever he may think of the course adopted by us of referring a question of this kind to the country in general, that he is ready to admit that up to the present moment we have fully redeemed all the pledges which we have given, and have acted upon the intentions which we have expressed. But, my Lords, the noble Baron goes further; for he says—and I thank him for the admission—that even the terms made use of in the Royal Speech were not such as Parliament had a right to complain of, and that they were only such terms as a due regard to the Royal Person from whom the sentiments proceeded rendered necessary and proper. My Lords, I think the noble Baron also did me the justice to say that, upon the occasion of the debate on the Address, my own declarations, as Minister of the Crown, with regard to the future policy of the country, were plain and unequivocal, and not to be mistaken; and that, even if in the terms used in the Speech from the Throne, in which we spoke of "that unrestricted competition to which Parliament has decided that the country shall be subject," there could be any ambiguity, there could be none in that in which I declared the intentions of the Government for the future, and announced that, whatever our own views might have been, or might now be, that we were prepared to act on that system of policy in commercial matters which had obtained the general assent of the country. But the noble Baron thinks that we should have gone somewhat further, and have given—beyond the explanation of the Minister in this House, or of the Minister in the other—some public assurance of our intentions as to the course to be pursued. But did we give no such assurance of our intentions? Why, in the course of that same speech I announced to your Lordships that, if your Lordships and the other House of Parliament would have the patience to wait for one short fortnight, we would lay before the House of Commons those commercial propositions in detail, and that financial policy, in the shape of the Budget, which would at once test the sincerity of the Government, and give an opportunity for a declaration on the opinion of the country. My Lords, had it not been for the interposition of a Motion of an abstract character, referring to the past much more than to the future, that Budget would have been before the public one week sooner than the period at which it was possible to bring it forward. Now, when the noble Baron comes to look at that Budget, he says—and I think the noble Marquess said the same—"Whatever may be the faults of that Budget—whatever parts we may desire to comment upon, I must say that there is in the Budget, ample evidence of the full intention of the Government to carry out the principles of free trade; it is not to be characterised as a protection Budget; it is a free-trade

Budget, and carries out the declarations which you have made." Well, then, up to the moment of the debate on the Address, it is admitted that we had redeemed our pledges. We then asked leave to give a practical proof of our intentions in a fortnight, but we were prevented from giving that proof by the interposition of an abstract Motion; but when we are permitted to develop that scheme, by the confession of our opponents that scheme is a complete fulfilment, so far as free trade is concerned, of the pledges we had given, and the declarations we had made. I did say, in the course of the last Session of Parliament, that I thought it desirable that previous to Christmas there should be an opportunity given to Parliament, not only to hear but to decide upon the commercial policy of the country. Undoubtedly I was anxious, and am anxious still, that such an opportunity should be given; and the best practical proof that we can give, is, that we have introduced that financial policy, not in the form of resolutions, which may be liable to interpretations one way or the other, but in the way of legislative measures submitted to Parliament, and upon which, before the other House separates, I trust that we shall have the judgment of Parliament; so that, in complete fulfilment of the pledge which we gave upon a former occasion, the current business of the ordinary Session shall not be interfered with by questions, raising doubts as to the future commercial policy of the country. So far for the course which the Government have pursued, so far for the course which, in my judgment, would have rendered any Motion by way of resolution unnecessary and uncalled for; because I think that the best proof that could be given of the intentions of a Government—if the words of the Ministers were not to be taken—were the legislative and commercial measures which they proposed for the consideration of Parliament. But I waive that question; I accept the Resolution; and now, my Lords, I ask—what is your object? What is the object of those among you who are the most determined free-traders, who have been the most consistent supporters of that policy from the beginning? For I am sure that this immutable principle of free trade has had to struggle against various and serious difficulties; and I say that there is hardly a single individual—I except the noble Earl who has to-night made his first appearance this Session—amongst those I have the honour of seeing on the opposite benches, and who are now the ardent supporters of that system, whose votes have not at one time or another been recorded in opposition to that immutable principle. The noble Marquess himself—I do not wish to taunt him with it—but the noble Marquess himself is not quite correct in saying that he never gave a vote in opposition to free trade; because, though he never did in person, he did by proxy. He did a considerable number of years ago give a vote by proxy against the principle of free-trade, and more especially against the principle of free trade in corn. [The Marquess of CLANRICARDE. When?] In 1839, when Earl Fitzwilliam brought forward a Motion on the subject of free trade, you will find that the proxy of "Lord Somerhill," was given in opposition to that Motion. The noble Baron next him (Lord Beaumont) is a still more recent convert; because so lately as 1846 he both spoke and voted against the repeal of the corn laws, and, if I am not mistaken, was himself subsequently the chairman of a Committee to inquire into the burdens on agriculture, and the means of mitigating the great injury inflicted on the agricultural class, by the repeal of the corn laws;—and still more recently, I had the honour of seeing amongst the names of those who joined in the protest which I thought it to be my duty to enter on the records of this House against the repeal of the corn laws, the name of Lord Beaumont. I do not wish to taunt any noble Lord with having charged his opinions. We are all liable to change our opinions, and God forbid that I should taunt any man on the subject! What I was about to say was, that if the noble Lords opposite are sincere and earnest in their wish to produce the greatest possible effect upon the country, by the affirmation of the free-trade principle by this House, then the course which they ought to take, is to frame the affirmation of that principle in such a manner as shall secure the largest number of Peers to vote in favour of that Resolution, without doing violence to their own feelings; and it was on that ground (as I took the liberty of explaining to your Lordships), that, studiously abstaining from dealing with the past, and from offering any opinion on the part of the House as to the abstract policy or the abstract justice of the measures—with regard to which there might be differences of opinion—I framed a Resolution which, so far as any resolution can pledge the House for the future, pledged it to the adoption and carrying into effect the principles of free trade, Now, a few words as to the noble Earl on the opposite side (the Earl of Aberdeen). My Lords, it is quite natural that with his feelings the noble Earl should be very jealous of anything which should appear to cast doubt upon, and should be anxious, on the contrary, for anything which could pay a compliment to, the memory of his and my departed friend—for I shall venture so to call him, although he differed from me in opinion during the last few years of his life—it is quite natural that noble Lords, who were one in feeling with and approved of the policy of Sir Robert Peel, should support a Resolution commendatory of the policy which that statesman adopted. But this is the very point with respect to which the difficulty must arise. The approbation of that policy would be the very point on which those noble Lords who have not changed their opinions, would feel themselves placed in a position which would prevent them from recording their opinion in favour of the Resolution, and thus obtaining the unanimity which we all desire. The noble Earl spoke rather warmly on this point; but he has misrepresented or misquoted me, in referring to words I used on a recent occasion with regard to the condition of the country. Now, my Lords, in the Resolution I drew up, I did not attribute—for that was precisely what I wished to guard against—I did not attribute the prosperity of the country to any one particular cause; but I recognised the existing prosperity, and the imprudence of risking a disturbance of it. In recognising the prosperity of the country, and at the same time in admitting, not the inconvenience, but the serious evil, of frequent changes of policy, I was quite satisfied that this House should affirm—not that they now for the first time adopted, not that they now accepted—but that they recorded their continued adherence to that system of commercial policy which had been recently introduced. Now, my Lords, I am lost in astonishment when I hear the noble Earl, whose peculiar mission, and whose peculiar opportunities, in conjunction with others who act with him, I thought had been to smooth over the differences between parties, to act as impartial mediators, to give a friendly opposition to the Government if they were compelled to offer any opposition at all, and to do what they could to prevent any breach in the great Conservative party of the country—I confess I did hear with astonishment from him comments upon the Resolution which the noble Marquess had accepted at my hands, which I think were not called for by the occasion, or founded upon any fair and rational interpretation of its terms. The noble Earl says this is the most reactionary Motion which could possibly be proposed. A reactionary Motion — that is, a Motion which indicates a desire to recede from a particular system of policy by pledging the House in terms to adhere to it—which indicates a desire to abandon and depart from it in terms expressing the regret with which this House would view any attempt to reopen the question, to interfere with that policy, or even to interrupt its further progress. I must say that though, on the part of a decided opponent, I might expect to have such a construction placed upon such words, I should not have expected to have such a construction placed upon them by one whose professions, both personal and political, except upon one point, are friendly and conciliatory. One word, my Lords, I may say with regard to Sir Robert Peel. I will not now enter into any discussion of the wisdom, expediency, and justice of the measure of 1846. I differed from the policy, and still more widely from the justice, of the introduction of those measures at the time when they were introduced, and by the man by whom they were introduced—and I gave the fullest proof of the sincerity of my opinions by abandoning the colleagues with whom I had no other ground of difference; but from that time to this I defy—I do not use the word offensively—the warmest friends of the late Sir Robert Peel to find in any speech or writing of mine a single expression derogatory to his character, or affecting the integrity or the motives of that statesman. The only serious misunderstanding I ever had with my noble and lamented Friend the late Lord George Bentinck — a misunderstanding which I am happy to say was throughly removed before his untimely death—was, upon a full and frank expression of my opinion, that nothing could be more unfitting or more impolitic than to load with terms of vituperation those from whom we are compelled conscientiously to differ. My Lords, I am not prepared to say now that I would take, if 1846 were to come over again, the same course into which I was then thrown by circumstances. But I am quite prepared to say this: that whatever may have been the justice or the policy of the measures introduced in 1846—which, be it observed, were not introduced upon any abstract principle, or any theory of what was required by justice or immutable doctrine, but which arose out of the exigency of the time, and were called for by the deficiency of the potato crop in Ireland—for that was the basis of the free-trade legislation of that time, and not soundness of argument or correctness of principle. I repeat, that whatever may have been the justice of those measures originally, I still say, and in the words of the Resolution am willing to affirm, that now, when the decision of the country has been finally expressed, it is time to put an end to a hopeless and useless political struggle, the consequence of which can only be to maintain a prolonged state of uncertainty, to embarrass our legislation, and to impede the prosperity of the country. To the Resolution now before the House those may assent who have been entirely and absolutely opposed to the past policy of 1846. The noble Marquess has commented upon language which has been held in the other House—not a very convenient practice, I must say—by my right hon. Friend the Chancellor of the Exchequer, in declaring that at no time had the Protectionist party sought to reverse the system of 1846. My Lords, I think the noble Marquess must have misunderstood that which fell from my right hon. Friend. What he said was—I think I can answer for it with perfect certainty, and the noble Marquess will do me the justice to recognise it as the principle we have acted upon in this House—that in the House of Commons, or within the walls of Parliament, from 1846 downwards, no attempt has been made to reverse or repeal the policy of 1846; but that from the period of the general election of 1847, which was an election conducted under peculiar circumstances, we have uniformly held out that that question never could be held settled until the country had pronounced on the policy pursued at a general election, and that that general election must be taken as decisive on the issue of the question. I did not say—I forget who the noble Lord was who, I am sure unintentionally, misrepresented me on this point—I did not say that I would bring forward the question of Protection if I obtained a majority in favour of my views. What I did say was, that while I had not altered the views I entertained as to the commercial policy of 1846, unless there were not only a bare majority, but an overwhelming majority, in favour of the reversal of free-trade, and a return to a protective system, so strongly did I feel the inconvenience and evils of continued agitation, that even if I had a bare majority with me, I should think it more advisable to continue the system I found established, than to excite an obstinate and continued struggle between contending parties. The same language was held by my noble Friend the Secretary for Foreign Affairs, who declared the conclusion to which he had come—that, after the opinion of the country had been taken on the general question, that question must be considered as definitively settled—that from that period we should take a new departure, and, unless the country was decidedly in favour of a return to the protective system, we should endeavour to shape our course frankly and cordially, so as to draw from the system that had been introduced all the results it might admit of, and in the manner most advantageous to the general interests of the country. Such, my Lords, is the issue I put. I entreat you to allow the question to stand upon this, the sound, the rational, the politic footing; that you will not allow the subject to be re-agitated—that you will not insist upon reviving past dissensions and forgotten bitterness—that you will not endeavour to compel men to retract the opinions they had conscientiously formed, and which they still entertain; but that, on the other hand, you will be content with a pledge for the future—with the recognition of your own principle as the rule of action henceforward, as you have been content with the recognition of the principles of slave emancipation, Catholic emancipation, and the Reform Bill, all of which have been accepted and acted upon by those who at the time differed from their proposers as to the policy and justice of those measures. What would have been said if, shortly after the Catholic Relief Bill and the Reform Bill had been admitted as settlements of those questions respectively, their friends had come down and insisted that not only should the Houses of Parliament consent to act on the new policy they had adopted, but should expressly recant the opinions they had entertained in favour of the policy that had formerly prevailed? What would the friends of Sir Robert Peel have said in 1835, if, when he assumed the Government, and when the new Parliament was assembled, he had been called upon to declare that the Reform Bill was a "wise, just, and necessary measure," and if, when he refused to stultify the convictions of his own friends, he had then been accused of proposing a reactionary policy, I am of opinion that such a course, calling upon men to declare that which it may be against their consciences and settled opinions to declare, and thereby to abandon their convictions and recant their declarations—as would inevitably follow from the particular course you wish to see adopted on the present occasion—I say that such a course is neither consistent with the usual generosity of political opponents in this House, nor is it, permit me to say, conducive to the final and decisive establishment upon a fixed basis of that principle of commercial policy which must hereafter be the basis of our commercial legislation For my own part, I need not say that I cordially concur in the Motion made by the noble Marquess opposite. I concur in it without the slightest reservation, and I believe it can be concurred in by the great majority of this House, if not unanimously. At the same time I declare that if it were possible that words could be inserted which should make the prospect for the future more clear and definite, and more utterly take away the possibility of a reactionary policy, to such words I should not for a moment object. But, my Lords, I am convinced that no such words could be introduced. I entreat your Lordships, therefore, not to go back to a useless and causeless discussion about the past; but, above all, I entreat your Lordships, even those who may not view with entire satisfaction the Motion of the noble Marquess as it stands, not so far to depart from the usual practice of this House as to sanction the discussion of an Amendment which can be introduced only as a surprise on those who believed they had a right not to expect that any such step would be taken.

The Marquess of LANSDOWNE wished only to say a few words on the subject of the Motion made by his noble Friend (the Marquess of Clanricarde) at the suggestion of the noble Earl opposite, and as to the position in which this question stood. In the first place, he would state that, setting aside the merits of the Amendment moved by his other noble Friend (Lord Beaumont) beside him, he should certainly feel himself precluded from voting in favour of that Amendment, in consequence of what had taken place in that House the other night. He did understand at that time that a most distinct understanding was come to, in which all the noble Lords then present concurred, that the very reasonable request of the noble Earl opposite should be acceded to—that, if the Motion appeared to be of such a nature as would invade disputed ground, the further consideration of it should be deferred to such a day as would admit of the attendance of noble Lords. Undoubtedly, that arrangement would not be in any degree binding on noble Lords who were not present when it was made; but, for his own part, though he took no share in the conversation between the noble Marquess and the noble Earl, he was then present, and not having offered any objection, he considered himself a party to what then passed; and he was sure his noble Friend the noble Baron would be the last man to wish that any course should be followed which, if adopted, would not only defeat the efforts that had been made to arrive at a good understanding on this vexed question, but prevent the transaction of the public business in a satisfactory manner. It was quite open to his noble Friend upon that day, or any other that was convenient, to come down and give notice that he was not satisfied with the course intended to be pursued, and that he intended to take the sense of the House upon it. If, therefore, his noble Friend insisted on moving the Amendment now, it would be, he trusted, with the intention of not pressing it to a division, or he (the Marquess of Lansdowne) should certainly feel that, upon the ground he had stated alone, he must abstain from voting. This was a matter on which the House was bound, not by its technical forms of proceeding, but by the understandings usually arrived at between its Members in respect of the conduct of business. As to the position in which he found himself with respect to the Motion made by the noble Marquess, he confessed that, without entering into the question whether it was proper or necessary at all for this House to adopt any proceeding on the subject, he was not one of those who ascribed all the importance that many persons in and out of the House did to the particular terms in which the Motion was made. The position in which they found themselves was this: his noble Friend the noble Marquess near him, having been a most consistent and most able supporter of that liberal policy which dictated the change in the corn laws, naturally and justifiably had a disposition to bind the noble Earl opposite and Her Majesty's Government, with respect to the course that was to be adopted for the future. The noble Earl opposite appeared to have assented to the principle of the Resolution; but he contended, naturally enough on his part, that he should be bound only by words proposed by himself. If the noble Earl and Her Majesty's Government asked themselves to forge the fetters they were hereafter to be bound by, all that the House had to take care of was, that the fetters should be made of well-tempered steel—of such stuff as that the noble Earl and Her Majesty's Government would not be able easily to escape from—because, in his mind, he confessed that there must be some difference in an agreement between persons who had uniformly supported particular lines of policy, and an agreement between persons who had uniformly supported one line of policy, and others who had long supported an opposite line, but now had suddenly changed their opinions. He therefore said that some suspicion was justified on the part of the noble Marquess—some desire that this House, in concurrence with the other House of Parliament, should express an opinion in terms so strong and so decided, that the House and the Government should not afterwards easily depart from them. He had come down the other day, as he had come down to-night, prepared to agree to any form of words that conveyed a distinct impression upon this subject, even if those words should fall far short, as he certainly thought the words suggested by the noble Earl fell infinitely short, of the expression of opinion required—of that candid and complete admission of the justice of the past policy, in concurrence with the determination to pursue it for the future, which he thought the magnitude of the occasion, and the precedent afforded by the other House of Parliament, demanded. But because he thought the Resolution shortcoming in itself—because he condemned, or at least regretted, the apparent reluctance on the part of noble Lords opposite, the hesitating faltering consent they had given to the doctrines on which they were about to act—yet if it were so repugnant to their feelings to adopt doctrines and subscribe to the articles of that Church which they announced they were about assiduously, frequently, and earnestly to attend, it was not for them (the Opposition) to say that, to the extent to which Ministers and their friends were willing to make that admission, and act upon that system for the future, they would not have every facility allowed them for doing so; although, from the statements they had made, it appeared that they wished to preclude all inquiry as to the wisdom and justice of the policy which they themselves recommended to be maintained. In assenting to a Motion on this subject which fell short of what he thought the occasion demanded, in adhering to the terms which in the opinion of many of his noble Friends near him, and in that of his noble Friend the noble Earl on the bench above him (the Earl of Aberdeen), did not sufficiently bind the conduct of Her Majesty's Ministers, it would, however, be affectation in him to say that he felt any apprehension as to their future course. He felt no apprehension—but not on account of the confidence he felt in Her Majesty's Ministers—for the noble Earl opposite could not think it disrespectful in him to say that he could not have the same confidence in persons who had recently adopted new opinions as in those who had consistently adhered to them for years, and who from long affection, feeling, and conviction, had confidently persuaded themselves as to the policy they ought to pursue; but although he did not feel confidence, still no apprehension existed in his mind in relation to the future. When he heard it distinctly admitted, as it had been that night and on many former nights, that in guiding the great vessel of the State in its course towards a liberal policy, it was not Her Majesty's Government that had held the rudder, but that that rudder was held by public opinion, he agreed with his noble Friends that they could place confidence in the action and power of that public opinion, and that whatever words their Lordships voted—nay, if their Lordships voted no words at all—whether their Lordships adopted the Motion made in the other House of Parliament, for throwing aside which the noble Earl had not assigned any reasons, or should be induced to abstain from insisting on that Resolution which the noble Earl's Colleagues all supported in another place, and which was adopted by a large majority in the other House—whichever of these things should happen, he believed that the policy first laid down in that House, as the noble Marquess stated, by Lord Grenville—and it was to the lasting honour of the House of Lords that maxims so favourable to the people of this country should have been first suggested and inculcated by one of its Members—the policy enforced under the auspices of a great statesman and supported by a majority of that House, and a great proportion of the ability of the country, carrying out principles previously laid down into practical effect, and insuring to this country prosperity of trade and cheapness of food—two of the greatest *desiderata* which any nation could obtain—he felt that this policy it was not in the power of the noble Earl, or even of Parliament itself, to alter or disturb. Be the changes in the Ministerial policy what they might, he was convinced that the moment any dispositions were manifested on the part of Government to overturn the measures of 1846, or even any hesitation in acting on their policy, the sense of the country would speak out; and it was not the words voted by their Lordships which would determine the issue, but the sense of the country operating upon Parliament, controlling the course and influencing the judgment of Her Majesty's Government. The noble Earl opposite had admitted as much when he told them that he had not acted upon his own opinions, but had acted, and meant to act, on the opinions of the country. If the opinion of the country had been strong enough in the present year to influence the noble Earl, with all the advantages which his accession to power gave him, would it not be sufficient to control him, so far as to secure his adhesion to the policy on which he told them he had now entered, willingly as respected present measures, but reluctantly as regarded past opinions. In the Motion as suggested by the noble Earl, there were certainly some words to which he gave his most cordial concurrence; and from what had passed since notice of this Motion was given, he was apprehensive that he gave those words a more cordial concurrence and approbation than the noble Earl did himself; because he saw with great satisfaction introduced into this Resolution a strong declaration, not absolutely called for, but volunteered, as it were, on the part of the noble Earl, as to the inconvenience of financial changes not absolutely required by the public exigencies. After what he had heard passing within the last few days in another place, and after what, it was notorious, had passed there, he did feel, even more strongly than the noble Earl himself, the importance of this House voting an opinion as to the evils of financial changes, and, above all, of the evil of financial changes when the country was in a most happy and prosperous condition. If it were indeed so happy and prosperous, why these portentous financial changes? He was not going to attempt to discuss in that place a Budget which, from the multitude of branches into which it ramified, required on the part of the principal organ of Government in the other House five hours to make it intelligible to the House of Commons, and which he really believed, with all the noble Earl's unequalled clearness of exposition, and with all their Lordships' quickness of apprehension, it would take him at least two hours and a half to make intelligible to their Lordships; but he would say this, that although the extent of the changes in that Budget, and the indicated alterations in the policy it had laid down, might have disappointed noble Lords in that House, or hon. Members in the other House of Parliament, and, above all, those who were believers in Protection—or, to use a word recently adopted, compensation—it was a Budget involving very great financial changes; but when the noble Earl talked of the expediency of coming to a rapid decision on the subject of the great changes proposed, he did trust that both the Government and the House of Commons would take time to deliberate before they hastily adopted changes which transferred burdens from one quarter to another, the effects of which transference it was impossible rapidly and certainly to discern. He hoped for the sake of all parties—for the sake of public credit—that at least the Chancellor of the Exchequer would not hastily abandon one of the great foundations of the finance of this country, without having first assured himself of the means of replacing those foundations which he would have removed. He thought this a grave consideration for the country—a grave consideration for the Legislature. He knew it was very delightful to all financiers and Chancellors of the Exchequer to exhibit their ingenuity, by taking money from the pocket of one class and putting it into the pocket of another, and thereby, as they thought, lessening the burdens of all; but let them recollect that those operations which most strikingly exhibited the skill of the operator were generally those which were most painful to the patient, and that bandages removed from a diseased part might only produce symptoms of malady in those portions of the frame to which they were transferred. He said, therefore, that these changes were most deserving of the attention of every man in the country who had studied the subject, and of the people, who had only been put in possession of the intentions of Her Majesty's Government within the last three days. Before he sat down he must take notice of one doctrine laid down, not for the first time that night, by the noble Earl, but one which he had repeated on former occasions—namely, that the influx of gold from the Australian colonies affected the question before the House. His noble Friend (Lord Beaumont) to a certain degree subscribed to that doctrine, but it was one from which he (the Marquess of Lansdowne) must record his entire dissent. He believed that whatever permanent accession of such a nature was made to the country in general, it did not alter in the least the permanent relations between consumer and producer, and that there was no more produced of any article in consequence of a great accession of gold, than there would be produced in consequence of a great accession of paper. If the Bank of England issued paper tomorrow, as it might do if permitted by Parliament, it would not make the slightest difference in the relations between the amount of agricultural produce, or of any other produce, and consumption. He was sure the noble Earl would on reflection admit that fact, for, if his argument was carried out, it would follow that if a diminution of the supply of gold were to take place, Parliament would be compelled to alter the corn laws again. The noble Marquess concluded by repeating that he was ready to vote for the Motion of the noble Marquess, though thinking its terms insufficient, but could not support the Amendment.

The Earl of DERBY, in explanation, said that the noble Marquess had misunderstood him with regard to the effect of the recent discoveries of gold upon the prosperity of the working classes. He (the Earl of Derby) and his friends had entertained great apprehension that, as the price of corn fell—other circumstances remaining the same—the result would be a diminution in the rate of wages; and that the consequence would be that the position of the working classes would be worse than before. They had not denied, and did not deny now, that the cheapness of provisions, if wages remained the same, would increase the comforts of the labouring classes. But the question was, whether other circumstances had not had a beneficial effect on the rate of wages, and consequently counteracted and neutralised the results they had anticipated from the simple reduction of the price of corn: and he could not help thinking that the large influx of gold, and the emigration that had taken place, combined, must have materially affected the rate of wages, and prevented the fall which might otherwise have occurred; for the result of the large importation of gold had undoubtedly been to render the interest of money cheap and capital abundant, thereby enabling the employers of labour to obtain a larger amount of capital to lay out in the employment of labour, upon easier terms than they would have done if these gold discoveries had not taken place. And simultaneously with that operation, rendering capital abundant and money cheap, there had occurred also a very large emigration from this country and from Ireland, which had very largely diminished the number of persons competing in the labour market, and thereby gave to a reduced number of competitors higher wages than they otherwise would have obtained. Therefore, he said that the discoveries of gold were one cause—he did not say the main cause—and that the emigration which had been carried on to a greater extent than usual, was another—that the influx of gold, and the great extent of emigration, had acted and reacted on each other; and to the cheapness of of capital and to the emigration (with the consequent scarcity of labour) was undoubtedly to be ascribed, to a certain extent, the improved rate of wages. Add to this the fall of prices—and it was owing to these three causes combined, and not to any one in particular, that the working classes were now in a state of prosperity.

The Marquess of LANSDOWNE observed, that the noble Earl had mentioned the rate of wages as the first thing to be affected; but he believed it would be found that it was the last in the circumstances to be considered in the question.

The Earl of RADNOR thought the House was placed in a position of considerable embarrassment by the Motion that had been made, and the Amendment that had followed it. He saw only two modes of overcoming the difficulty. The first was by both parties agreeing to withdraw both the Motion and the Amendment; and the second, which would perhaps be the more agreeable course, was by adjourning the debate. Thinking it advisable that the debate should be adjourned, he now moved, "That the further debate be adjourned to Monday next."

The MARQUESS of CLANRICARDE said, he had no objection to offer to the suggestion for adjourning the debate. His only desire in moving the Resolution that he had done was to promote unanimity, but unfortunately he had caused the greatest possible discord. He could not, however, agree to the withdrawal of both the Motion and the Amendment, because it would go forth to the public that the question had been raised in the House and no Motion had been adopted. The Resolution that he had proposed he did not think a good one; but he had hoped, as he had said, that it would at least ensure unanimity; and if he consented to withdraw it, he was not sure whether the noble Earl opposite (the Earl of Derby) would approve of his doing so. On the question of adjournment he wished to say, in answer to what had fallen from the noble Earl opposite with regard to his conduct in 1839, that it was a clearly understood thing that a vote given by proxy was not the vote of the Peer who gave the proxy, but the vote of the Peer who held the proxy.

The EARL of DERBY expressed his objection to any Motion for the adjournment of the debate, and said that he would support the noble Marquess against any Amendment.

The said Motion was (by leave of the House) *withdrawn.*

The EARL of HARROWBY said, that the misfortune of this Resolution, as far as it occurred to him, was, that it rendered it difficult for some noble Lords to vote for it because it assigned certain reasons for their being unwilling to change the commercial policy recently established; and by reciting those specific reasons it seemed to exclude every other. It would appear from it as if the majority of that House (should the Resolution be passed) had no other reasons for not disturbing the system of unrestricted competition than their unwillingness to subject the country to the evils attending frequent changes in the financial policy of the country. He would, therefore, suggest that the simplest and best course of arriving at an unanimous conclusion would be by omitting the preamble of the Resolution, and avoiding the allegation of any reasons, and declaring "that this House, thankfully acknowledging the general prosperity, adheres to the commercial system recently established, and would view with regret any renewed attempt to disturb its operation or impede its further progress." That would be a more statesmanlike proposition; and would recognise the wisdom of the advice once given to a Judge, "Never give your reasons; give your judgments—your judgments may be right; but your reasons will most probably be wrong." They had already seen how unphilosophical and absurd it was to attempt to assign reasons on which there should be agreement in opinion, in the controversy between the noble Marquess and the noble Earl on the effect of the influx of gold and of emigration on the prosperity of the country. That was a very good subject of debate for a Political Economy Club, or for articles in the newspapers; but that House would never come to any practical conclusion on a question of commercial policy if they were to attempt to settle the relative effect of each different ingredient of the prosperity of the country. Therefore he said that this Resolution, shorn of its preamble, would be a positive declaration, and certainly as binding on the House and the Government as could be desired; while, on the other hand, if the preamble were retained, and the prosperity of the country should be ascribable to other causes; or if changes were in future effected in our financial policy leading to an inference that such changes need not necessarily be an evil, they would perhaps leave it an open question for consideration, whether they ought to adhere to the policy commonly known by the name of free trade. He doubted exceedingly whether any noble Lord would come forward and assert that the prosperity of the country was to be attributed simply to any one cause, let it be free trade or any other. By simplifying and shortening the Resolution in the manner he suggested, they would save themselves the embarrassment of the rediscussion of this question; and they would avoid bringing ridicule upon their deliberations, because at present it would really be said that in debating about mere words they were contending for no real principle at all.

VISCOUNT STRANGFORD, after listening to so much and understanding so little, only rose to express his deep regret that the noble Lord the Member for Tiverton (Viscount Palmerston) was not a Member of their Lordships' House. There would, then, be some chance of coming to a conclusion.

The DUKE of NEWCASTLE: My Lords, if it had been the wish of the House to continue this debate, I should have endeavoured to express my concurrence in the views which my noble Friend the noble Earl who spoke second in the discussion to-night stated as to the absolute inutility, as regards this House, of any Resolution such as the one which the noble Marquess has proposed. But under present circumstances, and with these opinions, I rise now for the purpose of impressing upon your Lordships how desirable it is that we should accept the proposition which the noble Earl on the cross bench (the Earl of Harrowby) has suggested, and thus put an end to the discussion, by expunging the words in the Motion which noble Lords on this side of the House so strongly disapprove of, and to which the noble Marquess can attach no importance —stating, as he does, that he disapproves of the whole Resolution, although he undertook to father it. I say, looking at the fact that the preamble can have no particular value in the eyes of the noble Lord on the other side who proposed it, and has certainly been met with disfavour from all those on this side of the House, I cannot but think that we shall be acting fairly, and wisely, and prudently, as regards our own credit and the object which we all profess to have at heart, if we confine ourselves to the practical part of the Resolution, omitting the whole of the preamble, rather than by retaining it to give rise perhaps to future debate and future misunderstanding of what were our real intentions. My Lords, if I understand from the assent of the noble Earl that this meets with his approval—[The Earl of DERBY: I have no objection to it]—and that the noble Marquess is willing to adopt the proposal of my noble Friend on the cross bench, I certainly shall not think it right to trespass on your Lordships' attention for many minutes. But, my Lords, there were some few observations of the noble Earl, with reference to the course of conduct of the late Sir Robert Peel, and with reference to that of his Friends, on which I feel bound to make a few remarks. My Lords, I will not discuss with the noble Earl what he may consider to be the peculiar mission of my noble Friend the noble Earl (the Earl of Aberdeen), or of the former Friends and Colleagues of Sir Robert Peel in this House. I will not discuss with him whether it is our bounden duty, for some reasons which he did not assign, to act as mediators between noble Lords on this side and noble Lords on that—as pacificators who are to turn the balance in favour of the Government, I presume, on occasions when they are in any difficulty—I know not, my Lords, what notion the noble Earl opposite may have of our duties; but with reference to the question immediately before the House, this I can say, that I conceive there is a legacy devolving on us from that great and illustrious man, namely, the protection of that commercial policy which he founded in this country, and with the success of which we are all identified; and from the execution of the duties imposed upon us by that legacy, I assure the noble Earl we are not likely to be diverted by any observations that he may make. My Lords, the noble Earl said, that he gave credit to my noble Friend the noble Earl for —I do not recollect the exact phrase—but for evincing some degree of jealousy of anything which disparages the reputation of Sir Robert Peel. [The EARL of DERBY made an observation which was inaudible.] He said that he could pardon some degree of zeal on the part of my noble Friend (the Earl of Aberdeen), because he must naturally feel anxious to express an opinion in favour of the policy of the late Sir Robert Peel. My noble Friend expressly said, that it would have been his individual desire to declare that that policy was "wise, just, and beneficial;" and so say I; but I agree with my noble Friend that it would not be wise or desirable to do that which the noble Earl (the Earl of Derby) deprecated, in his somewhat impassioned peroration, to make any attempt to impose on noble Lords opposite a formal recantation of the principles they believed they had been right in advocating. My noble Friend said—expressly said—that for that reason he did not wish to propose such words; but the noble Earl will forgive me for saying that he has never answered, in the slightest degree, the observations from this side of the House, not with reference to the words "wise, just, and beneficial," which have not been proposed, but he has never answered this objection: that while he, or rather his Colleagues in the other House, accepted certain Resolutions, spoke on them, and voted for them, he now objects to call on noble Lords in this House, and on his own Colleagues in this House, to adopt the very same Resolutions. My Lords, that is the objection that we have raised; and the noble Earl has studiously avoided giving an explanation, leaving us to choose between two alternatives—either that he is willing to cast a decided slur upon his own Colleagues and Friends in the House of Commons, by refusing to call on your Lordships to agree to certain Resolutions which he considers objectionable and repulsive to your feelings, although they have been accepted in the House of Commons; or else we must be driven to the other more painful conclusion, namely, that the noble Earl cannot really be sincere in his declarations with reference to his practical acceptance of free trade. But the noble Earl said, "What would have been the course of noble Lords in this House, or of right hon. Gentlemen in the other House of Parliament, if, on the accession of Sir Robert Peel to office in 1835, a Motion had been made to declare the passing of the Reform Act a 'wise, just, and beneficial measure?'" My Lords, the cases are in no respect parallel. If Sir Robert Peel, from the time of the passing of the Reform Bill in 1832, up to his accession to office in 1835, had constantly brought forward in his place in Parliament Motions for the repeal of the Reform Act—nay, if, instead of Motions of that kind, he had been making speeches in this House Session by Session and month by month—if he had been receiving deputations in his house at Whitehall Gardens, and had been telling his friends that at the proper time the Reform Act would be repealed, and that at that time he would give the word "Up, Guards, and at them!"—if he, on the other hand, had been attending dinners at the Freemasons' Tavern, and had said—as had been said in that place only last year—that he would cry, "Halt in the downward course of legislation!"—if that had been his course, then I say that noble Lords and right hon. Gentlemen would not only have been wise, but just and right, in imposing such a test on his taking office in 1835. But, my Lords, consider the contrast rather than the parallel. Sir Robert Peel never pursued that course: he did directly the reverse. My Lords, I entered Parliament for the first time in the first reformed Parliament, and one of the first speeches that I ever heard delivered in the House of Commons was delivered by Sir Robert Peel, if I recollect rightly, on the Motion of the first Address to the Crown from the first reformed Parliament, in which he distinctly declared, at the very first opportunity that he ever had after taking his seat in the new Parliament, that he accepted the Reform Act as an irrevocable decision of a great constitutional question. Therefore I say that there is no use in the noble Earl attempting to draw a parallel between his position and that of the late Sir Robert Peel and his friends. So far from their being parallel, they are diametrically opposed; and the noble Earl has no right to take advantage of it, and say now, "You are not entitled to demand a declaration from my Government which the Members of the Whig party in 1835 did not expect from Sir Robert Peel." My Lords, the noble Earl appeared to me to venture upon somewhat delicate and dangerous ground when he turned to the noble Lord the mover of the Amendment, and to others on these benches, and pointed out the various lengths of time that have elapsed since they abandoned the principles of protection, and adopted those of free trade; and although he ended by saying that God forbid he should taunt anybody with a change of opinion, yet, certainly, by another allusion to the course taken by Sir Robert Peel and his friends in 1846—he appeared to intimate that there had been some dereliction of duty and some infraction of political principle in the course which they then pursued. My Lords, the noble Earl said that at the time he objected, and that he still felt the objection, to the manner in which, and the men by whom, the measure of 1846 wss carried. My Lords, we do not deny to the noble Earl, any more than to Sir Robert Peel or to any British Government, that time may operate a change of his opinion; but what we now complain of on the part of the noble Earl is, that he has not changed his opinion. If the noble Earl had come forward and declared that his opinion had changed even at the eleventh — or, I should rather say, at the thirteenth hour—if he had come forward and told us that he had changed his opinion, these Resolutions would be unnecessary—we should not feel it to be our duty to bind the Government any more than I believe it to be necessary to bind this House—which House, my Lords, let it be remembered, has never swerved in any vote with regard to free trade during the last ten years. [The Earl of Derby:

Ten years ?] I repeat, for "ten years;" and if the noble Earl wishes to have proof, I say that from the year 1842 down to the present time, there has been no instance in which this House has attempted to reverse the principle of free trade. The whole of Sir Robert Peel's tariff of 1842 was carried in this House either without a division or by considerable majorities; and the repeal of the corn law, in 1846, was carried through this House, notwithstanding the strongest opposition and the most eloquent speech of the noble Earl opposite—it was carried under the guidance and counsel of that great, sagacious, and illustrious man whose warning voice will never be heard again on similar occasions of difficulty and danger. Again, in the same year the alteration in the sugar duties was carried, not only by a majority, but the noble Earl declined, if I recollect rightly, to divide the House on the question; and two years later the repeal of the navigation laws was carried by a majority in spite of a strong opposition from noble Lords opposite. And from that time up to the present, although, as I just now said, not only annually, but month by month, speeches were made in this House, and violent attacks made on the course that had been pursued—although we were told that ruin was overtaking the country—although we were told that our course had been most disastrous—although we were told, not, as now, that the labourers were flourishing, but that they, above all other classes—and this too within twelve months from the present time—that they, above all other classes, were suffering—I say, although we heard all these things day by day, and week by week, nevertheless, whatever its individual Members may have said or done, this House never swerved from its free-trade course; and it is upon that account that I maintain with my noble Friend the noble Earl that any Resolution as regards this House is unnecessary. I say, if we look merely to the position of this House, we ought to pass no Resolution at all, because it would only be expressing an adherence to those principles from which this House has never deviated; and the only object of passing any Resolution at all is that it may bind that Government whose course, it is now announced by the noble Earl, is intended to be altered, but whose opinions, he has stated, remain still unchanged. My Lords, if this debate were likely to be protracted, I certainly should have wished to address some further observations to your Lordships with reference to other statements which fell from the noble Earl opposite; but if, as I said before, the opinion of the House should be that we should be content with the proposal of the noble Earl on the cross benches, I should be unwilling to prolong any further a useless discussion. And I the more readily sit down without any further reply to the noble Earl, because I feel that to whatever Resolution this House may come, the great cause of free trade, and of an enlightened commercial policy, is perfectly safe. I, my Lords, would not—except for the honour and reputation of this House—I would not care if this were a far more unmeaning and spiritless, a far more wretched and disparaging Resolution than that proposed by the noble Marquess. I say, my Lords, I have not a moment's fear in regard to the progress of free trade; I would not care, so far as that cause is concerned, what Resolution may be passed by your Lordships; because, irrespective of anything that may pass in this House, I believe the principles of free trade are based on the immutable grounds of justice, and with or without Resolutions will be maintained as hitherto by this House, whatever Government, present or future, may occupy those benches.

Lord BEAUMONT said, that with the counsels of the noble Earl on the cross bench (the Earl of Harrowby) it might be said that the genius of Tiverton existed in that House, for the noble Earl had had the good fortune to propose an Amendment which, as far as he could understand, was approved of by every one of their Lordships. Therefore, under the circumstances, he (Lord Beaumont) would agree to withdraw his Amendment if the noble Marquess would consent to withdraw the original Resolution.

The Marquess of CLANRICARDE expressed his satisfaction at finding that their Lordships were likely to come to an unanimous vote, and would consent to withdraw his Resolution. The noble Marquess was understood to explain that his proxy in 1846 was used against his individual sentiments.

The Earl of DERBY would accept unreservedly the Amendment which his noble Friend on the cross bench (the Earl of Harrowby) had proposed with such skill, and, he was happy to say, with such eminent success. It was a curious coincidence, that all parties in both Houses of Parliament should have been brought into harmony by a Resolution interposed in this manner.

Then the Amendment was also (by leave of the House) *withdrawn.*

Then it was *moved* in the original Motion to leave out

> —"thankfully acknowledging the general Prosperity, and deeply sensible of the Evils attending frequent Changes in the Financial Policy of the Country."

The same was *agreed to.*

Then the said original Motion, as amended, was *agreed to, Nemine Dissentiente,* as follows:—

> "*Resolved*—That this House adheres to the Commercial System recently established, and would view with Regret any renewed Attempt to disturb its Operation or impede its farther Progress."

FOREIGN AFFAIRS—THE FRENCH EMPIRE.

Lord STANLEY of ALDERLEY said, that he wished to put a question to the noble Earl the Secretary of State for Foreign Affairs. He wished to ask him whether Her Majesty's Government had any objection to lay before Parliament a copy of the protocol signed by England and the four great European Powers, respecting the canton of Neufchatel; and also of the convention between England, Russia, France, Bavaria, and Greece, for the settlement of the succession to the throne of Greece; and to inquire whether the report was correct that there had been some recent change in the political relations of the territory of Montenegro?

The Earl of MALMESBURY: My Lords, with respect to the first question put to me by the noble Baron, I have only to give him the same reply which I gave him last Session;—for the negotiations have not been proceeded with since the noble Baron put the same question to me in the course of last Session. The protocol which has been agreed to, which I am not at present prepared to lay upon the table of the House, because the negotiations are not yet commenced—that protocol confers upon Her Majesty's Government the power of choosing its own time to begin further negotiations. The present does not appear to Her Majesty's Government to be the proper time to enter upon further negotiations; and I may add that the other parties who signed that protocol are of the same opinion. With respect to the question of the Greek succession, which has just been signed by the Four Powers, it will be in your Lordships' recollection that when the independence of Greece was confirmed, it was considered an object of great importance that a dynasty should be secured to that people, and that the succession of that dynasty in a regular line should be guaranteed to the Greek people by the three Powers of Russia, France, and England. After the war was concluded, and the Greek independence was secured, the Greeks themselves prayed to have a constitutional form of government, and by one of the articles of that constitution it was declared that no future King of Greece should be of any other than the Greek faith. It is known to your Lordships that the present King, who was at the time of his election but a child, was brought up in the Roman Catholic faith, and in consequence of that, that part of the treaty has never been enforced. It appeared to Her Majesty's Government that a guarantee should be given by the three Powers that the future King of Greece should be of the Greek faith, as well as that the dynasty itself should be guaranteed by the three Powers according to the treaty of 1832. It was necessary, in order to accomplish this end, to revise the treaty entered into by the three Powers in 1832. Her Majesty's Government invited Russia and France to join with the Government of Bavaria in revising the treaty with that object; and they agreed to the invitation, and signed a new treaty, having that object in view. I believe I am in order in saying that it is not the custom to lay a treaty upon your Lordships' table until an exchange of ratifications has taken place. There is another question which the noble Baron intimated his desire to ask—whether any change had recently taken place in the political relations of that wild country bordering on Albania, called Montenegro. I believe that, since Her Majesty's Government came into office, no change whatever has taken place with respect to its political relations. The chief of that country bears a double title. He is head of the Greek Church in that country, and he is also the temporal sovereign. But with respect to his ecclesiastical position, he is under the jurisdiction of the Emperor of Russia, who is considered to be the protector of the whole Greek Church. The chief of Montenegro has been, as I believe his ancestors were before him, to St. Petersburgh, to receive from the sanction and recognition of the Emperor his episcopal jurisdiction and titles. With respect to the independence of that country, whatever the opinions of different persons may be as to the advantages of such a position, the fact is, that Montenegro has been an independent country for something like a period of 250 years, and though various attempts have been made by the Porte to bring it into subjection, these attempts have failed one after another, and the country is in the same position now that it was some 200 years ago.

My Lords, having answered these questions of my noble Friend opposite, it is now my duty to announce to your Lordships an event which we have all long since expected, but which has not diminished in importance from the circumstance that it has been long expected or foreseen, —I allude to a notification which Her Majesty's Government has received from the Secretary of State for Foreign Affairs at Paris, announcing that the French people have determined to change their political constitution from a republic to an empire, and that they have raised the person of the Prince President of the Republic to the Imperial dignity of the Empire. That communication was made to me on Thursday; and having been communicated by me to the other members of Her Majesty's Government, Her Majesty's servants thought it right to advise Her Majesty without delay, and cordially, to recognise the new constitution which had been selected by the French people for their Government. My Lords, it has been, as your Lordships know, the usual policy of this country, for the last twenty-two years—ever since the Revolution of 1830 in France—to adhere to the constitutional doctrine, that a people have a right to choose their own Sovereign without the interference of any foreign Power; —and that when a Sovereign has been freely chosen by the people of a country, that Sovereign, by whatever name he may be called, is at once recognised as *de facto* the ruler of that country, by the Sovereign of this. And, my Lords, I must say, that if there was ever formerly any doubt as to the distinct will of another nation being expressed in respect to their choice of a Sovereign—if ever there was a doubt as to the intention and the wish of the French people at any former time—on this occasion, at least, it is perfectly impossible to doubt what their determinations are. Three times, in the most solemn possible manner—three times have they expressed a wish for the same person in the most public manner of which, perhaps, history can furnish an example. When, at the Revolution of 1848, a Republic succeded to the monarchy of Louis Philippe, the present Emperor of the French was residing in this country. He went over with none of that canvassing which usually takes place in relation to elections of far minor importance —he went over, I may say, with nothing but his name—a name which, in the great power it exercises, in the magic with which it acts upon the people of France, experience alone has been able to make Europe understand. We can readily comprehend how the fate of Napoleon, so chequered as his was—such a mixture of immense glory with immense misfortune—was exactly the mode calculated to rouse the sympathies and to interest the feelings of human nature; and we cannot wonder that it should make a lasting impression upon the people over whom he so long and so gloriously reigned. But, my Lords, it is scarcely possible for any person in any European state out of France to suppose that the *prestige* of that name remains so long, so steadily, and so strongly, that thirty-seven years after his abdication, his nephew should have appeared in three different characters before the French people within the space of four years—offering himself without any of the accessories of Courts or Governments to assist him—first, as simple President of the French Republic with a Chamber; secondly, as absolute President of the French Republic, without any constitutional form of government; and thirdly, as Emperor of the same people:—first, elected by six millions—next, elected by seven millions—and lastly, elected by nearly eight millions—a number that would form almost the entire male adult population of France. The present is not the time to speculate upon the reasons for this extraordinary expression of sentiment and conviction on the part of the French people. But I think that if we have long lost sight of the power of that name in France, it has been because we have not sufficiently observed that up to this moment, in the chances and changes which have taken place in the government of that country, only one part of her population has been consulted. It was in Paris alone that those changes have taken place. It was in Paris alone that the fates of Louis Philippe and Charles X. were determined. It was by the voice of the Parisians alone that the Republic was established in the year 1848; and although both forms of government successively met with the silent approbation of the country, yet on no one occasion until the President of the Republic was elected in 1848 were the whole mass of the French people consulted with regard to what form of government they preferred, or what manner of man they sought. In the mass of the French people, one recollection—one only—and one strong partiality prevails; and I think it is not difficult to understand why this should be. In 1815, at the time of the Restoration, the French army—an enormous French army—was disbanded. It was poured back again upon the hearths of the population. The prisoners of war returned from all parts of the world in thousands and tens of thousands; and I believe I am not exaggerating the number when I say that, perhaps, 400,000, or from that to half a million of men, with one fixed idea in their minds, and with one—I may call it—worship fixed in their hearts, then returned to their homes; and for twenty or thirty years afterwards they talked and they thought but of one man; and they thought and they spoke of him as the great idol of their imagination; and though they could hardly have exaggerated his military merits and his military glory, they still added to those all that the warmest enthusiasm could give. Upon the rising generation all this could not be lost; and it appears to me that the seeds which these men have sown in the provinces of France are now to be seen in the fruit of which we have witnessed the ripening on this occasion. Seeing then this immense demonstration of feeling on the part of the French people, it was imposssible for Her Majesty's Government, even if it had not been our usual policy to sanction such demonstrations, not to have advised Her Majesty immediately and cordially to accept and recognise the Empire. There might have been one, and one only, reason that might have tempted us to hesitate before we advised Her Majesty to proceed; but I rejoice to say that the good sense of the present Emperor, foreseeing the difficulty, met it in advance, and removed from Her Majesty's Government those difficulties that might otherwise have intervened. I allude to a somewhat ambiguous expression which was found in the report of the *Senatus consultum*, which referred to the late President of the Republic, and which was connected with the title it was announced he meant to take—namely, that of Napoleon III. That expression might have induced Her Majesty Government, and would naturally have induced any one, to suppose that the interpretation to be given to it would have been that of common parlance, as it is understood and accepted when it is used to designate sovereigns—the numeral adopted was intended to convey the inference that he was descended by direct and legitimate succession from the former Emperor, and that by right of that descent he now filled the throne of France. My Lords, the advisers of the present Emperor of the French, foreseeing this difficulty, frankly took the initiative in assuring Her Majesty's Government that it related simply to the historical incident that in France, and according to French law, two sovereigns of the name of Napoleon have preceded the present Emperor. Neither of these Sovereigns, as your Lordships know, was recognised by this country. The French know that as well as your Lordships—and they, therefore, adopt the title with no intention of claiming any hereditary right from the first Emperor. This the French Government have distinctly intimated to Her Majesty's Government; and subsequently in a speech by the Emperor himself he has declared—and his Government have also declared it to ours—that he is Sovereign only by the voice of the people, not by hereditary right to the throne—that he distinctly recognises all the Governments that have existed since 1814 in France—and that he recognises the acts of those Governments, and acknowledges the solidarity of those Governments as succeeding others. With this frank and satisfactory explanation, it was only left to Her Majesty's Government, as I said before, cordially and with pleasure to acknowledge the decided will of the French nation, and to send to Her Majesty's Ambassador at Paris new credentials to the new Court. In the notification which the Emperor has made to Her Majesty's Government, he says that the same policy which influenced the President will influence the Emperor. And with respect to that policy, as it regarded England, it is impossible to speak too highly of the cordial and frank manner in which every question has been entertained by the Government of France—at least since I have had the honour of holding the seals of office. I am sure my noble Friend opposite will say the same thing at the time he filled my place. I have found nothing but fairness and fair play, and in all their transactions nothing but assurances of good will, and wishes to maintain an unbroken friendship with this country. I believe the Emperor himself, and the great mass of his people, deeply feel the necessity, for the interests of both countries, that we should be on a footing of profound peace; and, on the other hand, that they see the great folly and crime which it would be on either side to provoke war. They must know that a war, as far as it would lead to the subjugation of either country by the other, is an absurdity—that neither country, so great, so powerful, and so independent, could in any manner subjugate the other; and that, therefore, war must be as useless as cruel, and as inglorious as useless.

VISCOUNT CANNING: My Lords, I shall not follow the noble Earl in offering any comments upon the notification he has made to us—a matter on which it appears to me none of your Lordships can touch too lightly; and I feel convinced that the sense of the House would condemn any noble Lord who, in following the noble Earl, should express any opinion, or offer any observations of his own, upon this subject. But since the noble Earl has tendered your Lordships a statement of the transactions which have arisen out of recent occurrences in France, in which he, as a Minister of the Crown, has been engaged, and since he has informed your Lordships of the result to which these transactions have led, I take the liberty of asking the noble Earl to complete his statement on a point on which I think your Lordships ought to have a further and more explicit declaration—I mean as to the shape which these explanations took which influenced the Government to give Her Majesty the advice they have done. The question I wish to ask my noble Friend, then, is this, what was the form and shape of those assurances which the noble Earl received; and will the form of them enable the noble Earl either now, or at some future, but not distant, time to lay them before Parliament?

The EARL of MALMESBURY: My Lords, the observations of the noble Viscount resolve themselves into two points. He seems to disapprove of something I have stated as being in bad taste. As to the other, I must say I do not understand the noble Viscount's question.

VISCOUNT CANNING: My Lords, all I meant to imply in the first part of my observations was this, that in both Houses of Parliament, when foreign matters are brought under discussion, it is deemed advisable—and, above all, it is deemed advisable on the part of a Minister of the Crown—to abstain from any comment on the conduct of neighbouring Powers in their own affairs, whether it be the conduct of the people or of their rulers. As to the question which I ventured to put, if it is not clear to the noble Earl, I shall endeavour shortly to explain it. The noble Earl is aware that when communications pass between two friendly States, they assume different forms—sometimes they are in the form of a despatch from the Minister or Ambassador of our country residing at the foreign Court making the communication—sometimes in the form of a note from the Minister or Ambassador of that country residing at our Court. Now what I want to know is in which of these forms, or if in neither in what other form, these assurances have been received?

The EARL of MALMESBURY: I agree with the noble Viscount that it is advisable to abstain from all comments on the conduct of foreign States if these comments be disagreeable, or of an unfriendly nature; and certainly I should be the last man to make such comments. It may be that I have not been accustomed to address your Lordships sufficiently often to be able adequately to express my meaning, but I trust I have not said a single word to excite the slightest disagreeable feeling, and therefore I don't understand why the noble Viscount should find fault with me for having made a comment—for comment I have made none. I rose with the most earnest wish to say of France and the French all that France and the French would wish to say of themselves. As to the question put by the noble Viscount, I have to state that the mode in which the communications were made was perfectly official, and therefore perfectly satisfactory to Her Majesty's Government. But they could not have been more satisfactory to me than those which were made to me verbally by the French Ambassador in London, and which have since been repeated by the French Emperor in his speech to the Chamber; these would have been quite sufficient security to me even if there had been no official declaration.

The MARQUESS of BREADALBANE trusted that the change in the Government would make no change in the relations between France and this country.

House adjourned till To-morrow.

HOUSE OF COMMONS,

Monday, December 6, 1852.

MINUTES.] NEW MEMBERS SWORN.—For Abingdon, Lord Norreys; for Oldham, William Johnson Fox, esq.; for Durham, Lord Adolphus Frederick Charles William Vane.

NEW WRIT.—For Merthyr Tydvil, *v.* Sir Josiah John Guest, bt., deceased.

PUBLIC BILLS.—1° General Board of Health; Land Tax Commissioners Names.

3° West India Colonies, &c., Loans Act Amendment.

WESTMINSTER BRIDGE.

SIR ROBERT H. INGLIS said, he wished to put a question to the noble Lord at the head of the Board of Works. Six years ago a Committee of that House unanimously recommended that Westminster Bridge should be pulled down, and that a new bridge should be built upon the site. He desired to inquire—first, what was the present state of the bridge? Secondly, whether it was the intention of Her Majesty's Government to introduce any Bill this Session for the purpose of enabling a new bridge to be constructed? Thirdly, whether the new bridge will be built upon the same site, or further up the river? And fourthly, whether it was the intention of the Government to open to competition, limited or otherwise, the design of the new bridge?

LORD JOHN MANNERS said, that he had applied to Mr. Walker, the engineer of the bridge, who said that proper persons were appointed to watch it daily. It was almost entirely supported by timber, and he was not aware that there was any more immediate cause of alarm than there was in March last. With respect to the other questions, it was the intention of the Government to introduce a measure for the purpose of erecting a new bridge upon the site of the present, and Government had not as yet decided whether the design should be opened to competition, or that one should be selected from those already sent in. It was the intention to enlarge the space of the roadway of the bridge by means of lateral additions to the present bridge, which would be open to the public while the rest of the new bridge was being constructed.

ELECTION PETITIONS—WEST GLOUCESTERSHIRE ELECTION.

MR. THORNELY said, that on Thursday last the hon. Member for Montrose (Mr. Hume) presented a petition from Mr. Grantley Berkeley, a candidate at the late election for West Gloucestershire. That petition had been read before the Committee on Public Petitions, and they were unanimously of opinion that it was an election petition. He therefore moved that the Order of the 2nd of December, that the petition do lie on the table, be discharged, for the purpose of the petition being withdrawn.

MR. HUME said, he wished to know, before the Order was discharged, whether a person complaining of an election was to be obliged to prosecute a petition before a Committee of that House? He could not understand how the character of that House was to be maintained if any person who was able to prove that offences of the most heinous nature against the law had been committed at an election, had not some mode of giving such proof without being ruined by an opposed election petition. He had inquired how far the person in question was able to prove the allegations in this petition, and was informed that that person was perfectly prepared to prove them, but that he would not enter the lists to demand justice, opposed as he would be by two individuals of great property. The petitioner stated that the bribery, treating, violence, and intimidation at the election in question were monstrous, and that every rule and order respecting elections were there outraged.

MR. FITZSTEPHEN FRENCH begged to inquire whether this petition was not something of the same nature with that which had been presented respecting the election for Cork, and which, on the Motion of the hon. and learned Member for Youghal (Mr. J. Butt), was ordered to be printed with the Votes?

MR. SPEAKER said, that since the petition referred to by the hon. Member for Roscommon (Mr. F. French) had been printed, he had read it, and had no doubt that it was in the nature of an election petition, and, having been presented after the time for receiving election petitions, that petition ought not to have been received.

MR. GRENVILLE BERKELEY said, he could state, upon good authority, that the most unqualified contradiction could be given to the assertions contained in the petition presented by the hon. Member for Montrose.

Order *discharged.*

Petition *withdrawn.*

RAILWAYS IN INDIA.

SIR HERBERT MADDOCK said, he begged to ask the right hon. President of the Board of Control whether it was intended to encourage, by a guarantee such as had been afforded to other railway undertakings in India, or by any other means, the early commencement of a line of railroad between Allahabad and Delhi, and whether the Government would lay on the table of the House a statement of all railways now in progress in India, showing the length of each line, the amount of capital required for its completion, and the rate of interest guaranteed by the Government of the capital embarked in it?

MR. HERRIES begged leave to assure the hon. Gentleman that the Government were extremely desirous of promoting the extension of the railway system in India. This subject had engaged the attention of the Board of Directors, and they had it under their consideration what was the best mode of extending the original experimental railroads already established.

CLEOPATRA'S NEEDLE.

MR. HUME begged to ask the right hon. Gentleman the Chancellor of the Exchequer whether any and what measures have been adopted to bring from Egypt the obelisk, known by the name of Cleopatra's Needle, which was presented by the late Mehemet Ali to, and accepted by, George the Fourth for the British nation? He had heard that it had been presented to the proprietors of the Crystal Palace at Sydenham.

The CHANCELLOR OF THE EXCHEQUER said, that the conditions to which Her Majesty's Government had agreed with the proprietors of the Crystal Palace were to this effect: That the obelisk should be transported to England at their expense, and in case the Crystal Palace did not become so popular as it was expected, that then the Government should have a right, upon payment of the expenses, to take possession of it.

MR. HUME said, that as a public monument had been taken away from the public, it would be advisable to have some public document containing the terms and the manner of its cession.

The CHANCELLOR OF THE EXCHEQUER had no objection to place the document upon the table of the House. The terms of it were, that the country should have the obelisk whenever they paid the expenses of bringing it over.

INCOME TAX—CLERICAL EXEMPTION.

MR. RICH said, he wished to put a question to the right hon. Gentleman the Chancellor of the Exchequer. In the statement which he made to the House the other night, the right hon. Gentleman said that 30,000*l*. would be the loss which the country would suffer from the reduction in the taxation of the clergy from 7*d*. to 5¼*d*. in the pound. Now, as 30,000*l*. on that *datum* represented an income of 4,000,000*l*. per annum, the inference was that the right hon. Chancellor of the Exchequer intended to include in his exemption the whole body of the clergy, rich as well as poor—bishops, deans, pluralists—non-resident incumbents, &c. Was such the intention of the right hon. Gentleman?

The CHANCELLOR OF THE EXCHEQUER said, that the hon. Gentleman had quite misconceived the effect of the new Schedule proposed, and he was quite willing to believe that this misconception arose from his (the Chancellor of the Exchequer's) imperfect explanation of it. What he had said, at all events intended to say, was, that it being impossible to assess clergymen under any other schedule than Schedule A, by reason of the tenure of the property on which they paid the duty, and it being at the same time very hard indeed upon a clergyman to make him pay upon 100*l*. the full amount assessed upon the class of property in respect of which he ostensibly derived his income, whereas a Dissenting minister, with also 100*l*. per annum, would be only assessed as for 100*l*. salary, he proposed that some special clause should be introduced for placing the clergyman in a not less favourable position in this respect than the Dissenting minister.

THE FRENCH EMPIRE.

The CHANCELLOR OF THE EXCHEQUER: Sir, I have to state to the House that Her Majesty has received a notification that there is a change in the form of Government in France; that the Empire has been re-established in France, and that the Emperor has been proclaimed under the title of Napoleon III. Her Majesty's Ministers, acting upon that policy so long pursued by this country—namely, of recognising every *de facto* Government—have advised Her Majesty promptly and cheerfully to recognise the new form of Government in France. At the same time it has been conveyed to Her Majesty—first in a friendly and semi-official manner, and ultimately in a formal and official manner—that in accepting the title of Napoleon the Third, the Emperor of the French does not in any way wish to assert his hereditary claim to the Empire. And he declares that his only claim to be considered Emperor is, that he has been elected to that high dignity by the people of France. He has also declared, in a manner perfectly voluntary upon his part, that he entirely accepts all the Governments and all the acts of the Governments which have occurred since the year 1814. I thought it due to the House of Commons that they should at once be placed in possession of these facts, and that they should not owe their knowledge of them to another source.

Lord JOHN RUSSELL said, he wished to inquire whether the right hon. Gentleman would have any objection to place the despatch upon the table of the House?

The CHANCELLOR of the EXCHEQUER: I think there will be no objection to comply with the desire of the noble Lord; I have not, however, considered the question, and I trust that the noble Lord will not press me for a more definite answer.

COMMERCIAL LEGISLATION—THE INCOME TAX.

Mr. GLADSTONE: Sir, I wish to call the attention of the House to a subject which appears to be of the utmost importance—of constitutional importance, I may fairly say—in connexion with the financial statement of the right hon. Gentleman the Chancellor of the Exchequer. On Friday last the right hon. Gentleman, I understood, announced that on Friday next he should propose to the House to augment the House tax, the inference being that the arrangement was to take place from the 5th of April next. I conclude, of course, that the right hon. Gentleman has no intention of making a change in the House tax during the residue of the current year. The right hon. Gentleman likewise stated that the subject of the Income tax might stand over until after the recess. I think the right hon. Gentleman was understood to say that the question of the Tea duties was to accompany, on Friday, the question of the House tax. I apprehend I am correct in stating that, with regard to any reduction of the Tea duties, or any other such matter, no preliminary Committee is considered necessary, but that it is the intention of the right hon. Gentleman to introduce a Bill for the purpose, without any previous proceedings. If so, I take it for granted that there will be no preliminary Resolution on the Tea duties on Friday next, and that the business of that day, as at present understood, will have reference solely to the increase of the House tax. Now, the opinion which I venture respectfully to state to the House is, that such is by no means a regular, an advantageous, or, I would almost venture to say, a constitutional order of proceeding. And, without pressing the right hon. Gentleman for any declaration of opinion at the present moment, I am desirous to state to the House, and to him especially, the grounds on which I venture to found that statement. They are partly of a general and partly of a special nature. We are going to make provision for the financial year that commences on the 5th of April, 1853. Now, when we are considering the provision for that year, the first thing which necessarily strikes the mind of every man is, that on the 5th of April the Income tax, from which we derive more than one-tenth of our gross revenue, will have ceased, legally, to exist; and I put it strongly to the House and to the Government, that the first duty of this House in reference to the provision for that year must necessarily be to consider what course we are to pursue with regard to the Income tax. Are we to have the Income tax after that 5th of April, or are we not? It is on that, and not on the increase of the House tax, that the provision for that year depends; and my mature conviction is, that we shall find it impossible to give a satisfactory judgment on the House tax until we know what is going to be done with the Income tax. Suppose the judgment of the House to be that the Income tax shall lapse, or be greatly reduced; such a thing—and we don't know that such a thing may not take place—such a thing, it is clear, would have, of necessity, a most material bearing on the judgment we must form, and on the votes we must give when the House tax is under consideration. The necessity of resorting to the House tax at all, of increasing the area of the House tax, or increasing the rate of the House tax, are all questions posterior in order to the grand question of the Income tax, its continuance on its present basis, or the question of its extension. That is the general ground on which, even were there no other question as to the Income tax than that of its continuance, I should say that the duty of the House, in the discharge of its great functions, the providing the Ways and Means for the public service, is to proceed to consider the question of the continuance of the Income tax, before it deals with any minor question whatever—whether regarding augmentation of the revenue, as in the case of the House tax, or diminution of the revenue, as in the case of the Tea duty. But, in the present instance, I would remind the House that there are special considerations which give tenfold force to the principles which I am endeavouring to state. We are not now to be invited to consider the question of the renewal of the Income tax; no mere continuance Bill will be brought before us as in 1845 and in 1848, and again in 1851 and in 1852; it is a reconstruction of the Income tax on which the House is to be invited to decide, and is that reconstruction of the Income tax a mere matter of mechanical arrangement and detail? On the contrary, it is right that those who feel as I do with reference to that proposed reconstruction, should now, at the earliest possible moment, intimate to the right hon. Gentleman that they entertain objections to that reconstruction of a character wholly insuperable, and that, if the question is reopened, it must be discussed, and the judgment of the House taken in the most formal and solemn manner. Now, if there are those in this House who differ fundamentally with each other as to the principle on which this tax is to be continued—one party holding one opinion and the other the very opposite—it is obvious that it will be absurd to argue that the continuance of the Income tax, in any form, is placed beyond the possibility of a doubt. The right hon. Gentleman proposes to make three great changes:—First, to include Ireland, and on that change I will not dwell at the present moment, because I take it for granted that the proposal which has been made, cannot—I will not say it was never intended to—stand as it is at present. The second change is as to the removal of exemptions, it being proposed that real property down to 50*l.* shall be made to pay the tax, and other property down to 100*l.*, instead of down to 150*l.*, as heretofore. Now, Sir, this is a question of the greatest importance, and in my mind of the greatest delicacy. But the right hon. Gentleman has followed a precedent in a former Income tax for a proceeding of this kind; and it is therefore not on account of that proceeding, dangerous and inexpedient as I confess I think it to be, that I have received the impressions which I at present entertain with regard to his proposition as a whole. It is, I frankly own, in reference to that proposal of the right hon. Gentleman, which may perhaps at first sight and in the first instance be a popular proposal either in or out of this House—the proposal to vary the rate of income tax, raising 7*d.* on schedule A and C, and reducing his rate to three-fourths of that amount on schedules B, D, and E. It is with reference to that proposal that I am bound to tell the right hon. Gentleman that a question of principle, a question of radical and fundamental difference, is opened among those who entertain opinions opposite to himself, of a nature so formidable that it is impossible for them not to offer to any proposition of the kind, from the first to the last, the most strenuous opposition. Now, Sir, I shall not at present enter into the details of my objections, because I only wish at this time to impress upon the House the dangerous and precarious position in which we shall be placed, if, while the Income tax remains an uncertain proposal, we were finally to deal with the House tax on Friday next. My ground of objection to his Income tax proposal, however, is that which was well stated by my right hon. Friend the Member for the University of Cambridge (Mr. Goulburn) on Friday night. It is, that it involves a breach of the public faith to the national creditor. I hope this House will not depart from the doctrine which was laid down by Mr. Pitt upon this subject in 1798. On the 3rd of December of that year, Mr. Pitt, negativing the objection which might be urged that he had no right to levy the Income tax on the holder of the public funds, used these words; and I have no scruple in quoting them, because they have been, as it were, a charter, and the rule and standard of Parliamentary practice and doctrine on the subject. Mr. Pitt said—

> "I shall have no hesitation in submitting to the Committee, that when a general assessment upon income is to take place, no distinction ought to be made as to the sources from which that income may arise. . . . . . . Whenever an idea has been started of imposing upon the stockholders separately and distinctly any sort of tax, I have reprobated the attempt, as utterly inconsistent with the good faith of public engagement. But the matter is materially reversed when a tax is to be levied on the income of every description of persons in the realm; when it is no longer in the power of the stockholder to say, 'I could avoid this tax by

removing my property from the funds to landed security or to trade.' I should say to the stockholder as one of the public, 'If you expect from the State the protection which is common to us all, you ought also to make the sacrifice which we are called upon to make. It is not peculiar to you; it does not belong to the quality of your income; but it is made general, and required from all.'"—[*Hansard, Parl. Hist.* xxxiv. 14, 15.]

Those last words will make obvious to the right hon. Gentleman the nature of the objection which I take. The arrangement which Mr. Pitt proposed was a personal tax, under which he levied from each individual for the service of the year an equal proportion, exempting only the necessitous, of the profits which they might make, whether from their labour or their capital, within the year. It was a personal tax on individuals in respect of their income, but it took no cognisance of the quality of their income, and that was one fundamental and essential characteristic by which, in the judgment of Mr. Pitt, his plan was exempted from the charge or suspicion of a violation of public faith. But the plan of the right hon. Gentleman opposite, on the contrary, goes directly to the quality of the income—it looks to the source from which the income is derived—to the nature and permanence of that income—and it proceeds upon a principle fundamentally and diametrically opposed to that of Mr. Pitt. And now, how does this bear upon the words of the Act of Parliament? The words of the Act of 1801 are as follows:—

> "And be it further enacted, that such contributors, duly paying in the whole sum so subscribed at or before the respective times in this Act limited in that behalf, and their respective executors, administrators, successors, and assignees, shall have, receive, and enjoy the said annuities by this Act granted in respect of the sum so subscribed, out of the moneys granted and appropriated in this Session of Parliament for payment thereof, and shall have good and sure interests and estates therein, according to the several provisions in this Act contained, and that the said annuities shall be free from all taxes, charges, and impositions whatsoever."

Now, there is but one answer to those words, and it is, that they prove too much. It may possibly be said, that you already tax the funds. The reply of Mr. Pitt would be: "We do not tax the funds; we lay no tax upon that property which alters or varies its relation to any other description of property in the country." But do we stand upon the opinion of Mr. Pitt alone? It is not upon the opinion of Mr. Pitt, great and weighty as that might be in a matter of finance, that we alone rest. We have also the adoption of the opinion of Mr. Pitt by all the statesmen of two generations, by every political party in the State, and by almost every Parliament that has sat since 1798. The question was solemnly discussed then. It was solemnly discussed again in 1803, in 1806, in 1831, on the proposal to lay a duty on the transference of stock, in 1842, and again in 1848. The judgment of Parliament has been perfectly uniform on every one of these occasions; and what were the circumstances under which that opinion was so adopted? Mr. Pitt, when he introduced the measure, had in opposition to him an energetic and able party ready enough to find fault with him, and to reconstruct his measures and alter their basis; but that very party, when they acquired office, and become responsible for the government of the country, like him, took the same course, and steadily refused to look at the source or the quality of the income, thus preserving to the tax the character of a purely personal tax. But, besides, statesmen, and political parties, and Parliaments, there is another yet higher authority by which Mr. Pitt's doctrine upon this subject was received; and that is the authority of the lenders of that money themselves. Those words that were inserted in the Loan Act were words on the faith of which the money has been lent. Do not tell me, then, that Mr. Pitt's measure has already broken your faith with the public creditor, and that you may go on to something further. It has done no such thing. The Loan Act from which I have quoted was for raising 28,000,000*l.*; and the men who lent that sum did so subject to the Income tax. They knew perfectly well the meaning of those words. They knew that they were not intended to preclude them being subject, in common with every other person in the land, to a tax for the general service of the State; but that they were intended to prevent their being subject to taxes which looked to the quality of the income, and the source from which it was derived. On the faith of those words, and that Parliamentary and legislative construction of them, half of your national debt has been borrowed; and now, after the lapse of fifty-five years, and of two generations of statesmen, including some of the greatest Finance Ministers in the history of the world, it is proposed fundamentally to alter the basis of this Act of Parliament. A great deal more may be said upon this subject, but I will not trouble the House with it now. What I have said has been, in frankness to the right hon. Gentleman and to the House, to point out how much difficulty and uncertainty must necessarily overhang the whole subject of the Income tax, if we are not content to take the principle which was adopted nearly sixty years ago, and has since then been maintained without variation, but insist upon making it a measure wholly new in its fundamental principle—small, I grant, in its present dimensions, but most capable of extension and multiplication; for the day may come when those who now, perhaps, think little of the proposition of the right hon. Gentleman, because it is a small and trumpery question of whether they shall pay $5\frac{1}{4}d.$ or $7d.$ in the pound, may find these sums doubled, or trebled, or quadrupled, under the pressure of the public necessities, and when it may be too late to assert a principle which is now, for the first time, assailed and threatened with violation. If the right hon. Gentleman has adopted finally and deliberately the plan he has proposed in regard to Schedule D, and for which a great deal might be said on both sides but for the special contract under which we lie to the public creditor, I wish to show him that it involves the whole question of the Income tax in much difficulty and embarrassment. I hope that the right hon. Gentleman will be inclined to consider the question between the present time and Friday next. I should not have ventured to interfere with the judgment of the Government as to the order of submitting their propositions; but, feeling this matter strongly, and being certain that it will gradually assume a more alarming form, I could not feel justified in refraining from making these observations and suggestions to the right hon. Gentleman of what appears to me to be the wisest and most constitutional course for him to act on in regard to the order in which he should submit his finance propositions to the House.

Mr. HUME begged to ask the right hon. Gentleman the Chancellor of the Exchequer whether in the order of proceedings with regard to our future finance, it would not be better first to determine whether the Income tax was to be permanent or temporary. In 1842 it was imposed as a temporary measure for three years, and was demanded by Sir Robert Peel in order to give him a margin in carrying out his plan of financial reform, and at the end of three years it was continued because that plan was not finished. He (Mr. Hume) could not agree with the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone), that we were to be bound by the opinion of eminent men of former times; for the progress of later times might probably enable us to improve on those opinions. At all events, an inquiry had taken place into the Income tax, and the evidence taken bore out the opinion which he (Mr. Hume) entertained, that a Property tax should be paid by every individual according to his means. He thought the right hon. the Chancellor of the Exchequer had decided wisely and justly with reference to the principle of his Income tax. He (Mr. Hume) thought that the Income tax, as it was now constituted, and which the right hon. Gentleman the Member for the University of Oxford wished to continue, was not consistent with equity or justice. He was anxious to press on the right hon. the Chancellor of the Exchequer that he feared that there would be a difficulty in coming to a decision on Friday with regard to the House tax and the Income tax. Where so large a question as a tenth of the revenue, or 5,500,000*l.*, depended on that tax, the course of the right hon. Gentleman should be to ascertain what the House would do with regard to the Income tax first of all; he ought to confine himself entirely to that, leaving all details for the future.

The CHANCELLOR of the EXCHEQUER: Sir, I collected from the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone), that he rose to make some objections to the course proposed by the Government. One was a technical objection as to the mode in which we propose to bring our measures before the House, and the others were objections to the policy of one of the principal measures we propose. With regard to the first objection—namely, to the course recommended by the Government, that we should go into a Committee, and in Committee should propose Resolutions, all I can say, with great deference to the opinion of so distinguished a Member of the House, is, that I am still of opinion that the course which I have proposed is the correct one. If I am in error, I shall be, I am sure, set right by that authority to which we must all bow; but I assume, from all I have read and inquired, that the proper course for me is to ask the House to go into Committee, and in Committee to propose Resolutions.

Mr. GLADSTONE: What Committee? As to the Tea duties?

The CHANCELLOR of the EXCHEQUER: As regards the Tea duties and the House duty both, it will be necessary that the House should go into Committee. If I am in error, I can be corrected, but at present I apprehend that I am not in error. With regard to the second point, to which the right hon. Gentleman rather personally adverted—namely, as to what he called the extension of the Income tax to funded property in Ireland, I believe I am not in error if I say that the Income tax is at present extended to funded property in Ireland, and that, if there be any funded property in Ireland which does not pay it, it is by special exemption. Under schedule A the tax, as regards land, is limited to England, and therefore does not apply to Ireland; but as regards schedule C, it is extended to all funded property, whether in Ireland or wherever it may be. Therefore the whole of the argument with which we have been favoured by the right hon. Gentleman, appears to be a fallacious one, and I shall be perfectly prepared to enter into the consideration of the question at the proper time. The third point is that on which the right hon. Gentleman questions the policy of the Government with regard to the reconstruction of the Schedules of the Property and Income tax. It is not, in my opinion, expedient to have a general discussion upon the principle of this measure on the present occasion. It will not be expected, therefore, I should prolong a discussion on an important and weighty topic, which Her Majesty's Government will be shortly prepared to bring under the consideration of the House. Of course the Government have well weighed the important topic to which the right hon, Gentleman has alluded, and our conviction is that there is no breach whatever of the agreement with the public creditor; our conviction is that the course which we have laid down as to the reconstruction of the Schedules is in principle just. We believe that no Income tax would be just that was not constructed on those principles; and, with the greatest deference to all the high authories to which the right hon. Gentleman referred, I belive it to be rather the duty of the Ministry to act in accordance with what they think to be just and proper, than in deference to the opinion of other Ministers. I shall be quite prepared on the proper occasion to assert and to vindicate the justice of the course which we recommend, and it will be for the House to determine upon it. With regard to the general conduct of those Resolutions, I shall place them on the table probably to-night; at all events, on Wednesday morning there will be placed in the hands of hon. Gentlemen the policy I recommended in the financial statement I made the other night, in the form of a series of Resolutions. I do not suppose that at this time of year it would be possible for us to come to a decision on all these Resolutions; but so far as Her Majesty's Government is concerned the Resolutions must be taken as a whole, to stand or fall by the decision of this House. And if it is the distinct wish of the House, we can have the issue next Friday night. I thought in taking this course I did that which was not, perhaps, the most favourable to Government, but the most agreeable to our opponents. I have no other wish than to obtain the general verdict of the House upon the whole of the financial scheme brought forward; and, in asking the House for a decision upon the question of the House duty and the Tea duties, I thought it was taking that course which would prove the most practical on the part of the Government. At present I cannot say that we have any reason to regret that course, nor are we at all disposed to change the line which we have marked out.

Lord JOHN RUSSELL: Mr. Speaker, I did not suggest any course whatever to the right hon. Gentleman on Friday night. Many of his propositions, of course the greater part of them, were new to me, and I only said it was of importance that the House should know what course the Government intended to adopt. The right hon. Gentleman stated that he should propose on Friday to take, as I understood, the Resolutions in respect to the House duty and the Tea duties. [The Chancellor of the Exchequer: First.] Yes, first on Friday night; and I certainly stated that I had no objection to that course being taken. I think, however, that there is great force in what the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone) said, as to the necessity of taking both the Income tax and the House tax, before we are asked to concur in any Resolution with respect to the relief of taxes. On both these questions there may be great differences of opinion, and the proposition to renew the Income tax in a different form to that hitherto adopted may give rise to new propositions from independent Members of the House which may materially alter the character and diminish the receipts from that tax. I am certainly not going into that question which the right hon. Gentleman started with reference to any breach of faith in the proposal to alter the proportions to be paid on schedule D; but I must say that I cannot conceive any graver question that can be brought before this House, and I shall certainly be prepared to take my part in that question whenever it comes forward, with a due sense of the very great danger there is of making any alteration in the principle of the Income tax as it has been established by successive Parliaments. Again, if you admit that there are certain kinds of income which ought to be separately charged, other cases may perhaps be made out which the House might think had equally strong claims to be considered. Another thing struck me very forcibly with respect to the proposed Income tax, which is, that it appears to be very much in contradiction of the principle which the right hon. Gentlemen himself laid down in the last Session of Parliament, and again on Friday night, that if you are to have a system of direct taxation, it ought not to be grounded upon a system of exemptions. That is a principle which appears very plausible and just, but which, I think, is inapplicable when you endeavour to reduce it into a law. But what is evident is this, that the right hon. Gentleman's proposal is founded, not on one, but on various exemptions, whereas in the present tax, although you may complain of an exemption, it is at all events the one broad and general exemption of all incomes of not more than 150*l.* a year. The right hon. Gentleman proposes the exemption of persons receiving less than 50*l.* a year from the funds, and the exemption of persons engaged in trade whose incomes are below 100*l.* a year, and that with respect to the tenant-farmers there shall be an exemption of their incomes under 150*l.* a year. I know the right hon. Gentleman avoided this last statement by saying, the present proportion of rent to income is not just, that instead of one-half it should be only taken at one-third. Thus it is obvious that while persons in trade, mercantile men, clerks, and other persons in that condition of life hitherto exempt, having 110*l.* or 120*l.* a year, are brought under the charge, no farmers in the country shall be subject to it whose rent does not exceed 300*l.* a year. Now, this may be a just exemption, although the right hon. Gentleman does not state any reason whatever for making the difference. This is, however, an exemption, and it appears to me that this new tax, instead of being free from exemptions, stands upon a greater number of exemptions than the existing tax. This and other matters may, however, be more conveniently discussed when the Income tax is brought under our consideration. I leave it to the right hon. Gentleman to decide whether he will bring on the House tax before the Income tax, or the Income tax before the House tax; but I do say, after what I heard on Friday night, I conceive that the safety of the financial system of this country is in great peril. I think that both these taxes—the Income tax, which will expire in April next, and the House tax, which as it stands does not supply the means for the reductions proposed by the right hon. Gentleman—should be considered by Committees of this House before we agree to any reduction or abrogation of duties whatever.

Mr. GOULBURN said, his right hon. Friend near him (Mr. Gladstone) had so fully and ably expressed his feelings on this subject, that he would not have thought it necessary to say a word, but for the fear that some misunderstanding might exist with regard to the clause of the Income-tax Act which subjected funded property in Ireland received by persons in Great Britain to this tax. That was not an exclusive burden. If any gentleman in Ireland deriving his property from land, resided in this country and received his rents here, he paid the full amount of the tax. If any Irish gentleman having funded property resided in England, he paid 7*d.* in the pound upon the property he so received; but there was this distinction, that if the income derived from Ireland was received in Ireland, it was exempted from the tax. The right hon. Gentleman the Chancellor of the Exchequer proposed to make a distinction, and upon that question, when it came on for discussion, he (Mr. Goulburn) would have something to say hereafter; but he thought the right hon. Gentleman had entirely failed to vindicate what he (Mr. Goulburn) regarded as a violation of the contract entered into with the public creditor. He would not attempt on this occasion to follow the hon. Member for Montrose (Mr. Hume), into his defence of the measure proposed by the Government. With regard to the form in which the question would be brought before the House for discussion, he presumed the right hon. Chancellor of the Exchequer would propose on Friday to go into Committee of Ways and Means, and would give precedence to one of the taxes—either the Income tax or the House tax. [The CHANCELLOR of the EXCHEQUER: I shall propose to go into Committee of the whole House.] He (Mr. Goulburn) doubted whether the right hon. Gentleman would not find it necessary to go into Committee of Ways and Means, if he proposed to impose upon the public for the service of the year a tax double the amount of that to which the country was at present subject, and to extend the tax to a class of persons who had previously been altogether exempt from it. In the case of the Tea Duties, as that was a matter of trade, the right hon. Gentleman would have to go into Committee of the whole House; but with respect to the House tax, he thought it most important that the House should adhere to the principle which required that a tax for the service of the year should be moved in a Committee of Ways and Means.

SIR CHARLES WOOD said, that it was possible the right hon. Chancellor of the Exchequer might have been led into an error as to the mode of proceeding by the course which he (Sir C. Wood) took the year before last, in reference to commuting the tax upon houses levied according to the number of windows into a tax levied according to the value of houses. Between that day and Friday, however, the right hon. Gentleman would have time to ascertain what was the most correct mode of proceeding. What he (Sir C. Wood) had proposed was to reduce a tax, which could be done without a Committee of Ways and Means; but the right hon. Gentleman now proposed to double a tax, and, giving an opinion without reference to authorities, he (Sir C. Wood) agreed with the right hon. Member for the University of Cambridge (Mr. Goulburn) that it would be necessary for the Chancellor of the Exchequer to go into Committee of Ways and Means in order to propose the increased tax. He (Sir C. Wood) had abstained on a former occasion from giving any opinion as to the proposals of the Chancellor of the Exchequer, and he would pursue the same course tonight, because both then and now his only object had been to speak as to the course of proceeding to be adopted by the House. He thought, however, he could not too strongly enforce the arguments of his noble Friend (Lord J. Russell), that, considering the capacity of the proposals which the right hon. Gentleman was about to make, and the discussions to which it was obvious those proposals would give rise, it was essential for the safety of the public credit that the right hon. Gentleman should be sure of the renewal of the taxes which he proposed to continue before he ventured to put the revenue in jeopardy by the repeal of taxation. It was equally obvious—for he thought it was only fair towards the right hon. Gentleman the Chancellor of the Exchequer—that the proper course would be for the House to comply with the invitation that right hon. Gentleman had given them, to consider on Friday next, not simply one of his propositions, but to treat those propositions, to a certain extent at least, as a whole, so that the entire Budget might be brought under discussion, although it might be impossible, according to the forms of the House, to come to a decision upon more than one point. He thought the most convenient course would be to go into Committee of Ways and Means, when a Resolution might be proposed for the maintenance of the Income tax, or the increase of the House tax, and upon that Resolution they might discuss the whole of the propositions. That seemed to him the fairest course they could adopt towards the right hon. Chancellor of the Exchequer, as he would then have the fullest opportunity of answering any objections that might be made to his propositions.

MR. WALPOLE said, he was far from wishing to prolong the discussion, but he was desirous of stating that Her Majesty's Government had no intention whatever of putting the financial condition of the country in any degree of jeopardy by not obtaining from the House, in the first instance, a deliberate judgment upon the more important points of his right hon. Friend's propositions. The House would not be called upon on Friday to determine whether they would agree to the whole of the Resolutions which would be placed upon the table, for time could scarcely admit of their being discussed in one evening; but such Resolutions would be brought before the House as would raise the whole question of the financial policy of the Government, and he did not see how that question could be better raised than by the Resolutions to which his right hon. Friend the Chancellor of the Exchequer had referred, and which dealt with the extension of the House tax, and the remission of the Tea duties. No doubt, the questions arising upon the Income and Property Tax must be determined before the House could come to any conclusion as to any considerable remission of taxation; for if 5,000,000*l.* a year was taken away from the ordinary revenue of the country, no remission of taxation could take place, nor would they, indeed, be able to go on without some additional taxation to supply the deficiency. He freely admitted that the question whether they were to retain the Income tax, either as it now stood, or with the variation suggested by the Government, was one that must be discussed before any great remission of taxation was decided upon. He thought, however, that the fair issue and the main issue between them as to the financial policy of the country could not be better determined than by asking the House to sanction an addition to the taxation of the country to the amount of about 1,000,000*l.* before they proposed the remission of any portion of those duties which they thought might be repealed with advantage to the people.

Sir JOHN SHELLEY said, it appeared to him to be unnecessary, with regard to the remission of the duty on tea, to go at once into the question of doubling the House tax; and he would put it to the Government whether it was fair towards those whom he had the honour to represent, who were peculiarly interested in that tax, to press it forward so hastily without allowing householders time to ascertain how they would be affected by such a proposition. Before proposing any remission of duty, he thought the question of the Income tax ought to be fully considered.

Lord JOHN MANNERS said, that there appeared to be a mistake on the part of some hon. Gentlemen, who seemed to suppose that the proposition for increasing the House tax would materially raise the Ways and Means of the next year, while the remission of the Tea duties would only diminish the revenue by some 400,000*l.* The fact was, that the proposed increase of the House tax would not yield more than about 500,000*l.* additional to the revenue, while the reduction of the Tea duties would probably lead to a loss exceeding the increase on the House duty. He thought the proposal now made by the Government was one which fully met the views of hon. Gentlemen opposite, for they had fairly stated that the whole subject of the Budget must be more or less considered on Friday. It was utterly impossible that all the details to which the noble Lord opposite (Lord John Russell) had adverted respecting the Income tax could be discussed before the House adjourned for the Christmas recess; but he (Lord J. Manners) thought the House should have a fair and satisfactory opportunity of discussing the main principles upon which the Budget was founded, and that there was no proposition which would test more fairly and completely the views of hon. Gentlemen opposite than that which it was intended to bring forward on Friday.

Mr. SIDNEY HERBERT said, the objection taken by his right hon. Friend (Mr. Gladstone) did not appear to have been understood by the noble Lord who had just resumed his seat. The noble Lord said the additional tax would not produce above 500,000*l.* for the next year. If so, and there was any danger of the Income tax being lost, it was the more necessary to secure that on which depended a tenth part of the income of the country before passing a Resolution raising about 500,000*l.*, but which had coupled with it a Resolution for a reduction of duties which amounted to about the same sum. The danger was this: that after passing the Resolutions, if the Income tax should fail, there would be a deficiency of 5,500,000*l.* It was very objectionable to proceed to cut down taxes as if they had a large surplus, without knowing whether the Income tax would be carried or not. The objection was raised by his right hon. Friend, not so much to the particular Schedules as to show that if the principle of the Income tax was to be debated, there might be so much difference of opinion as to endanger the carrying out of the system.

Mr. EVELYN DENISON said, it was impossible not to feel that the principle of direct taxation was threatened with new dangers, and surrounded with new difficulties. There was a great disinclination on the part of many hon. Gentlemen to proceed with the reduction of duties on any article until the main question of the renewal or non-renewal of the Property and Income Tax had been settled by the House. The right hon. Chancellor of the Exchequer had stated that he thought his proposal would afford the most convenient means of discussing that subject; but, so strongly did he (Mr. Denison) feel the obligation of maintaining the national credit, that though he might be disposed to think favourably of a reduction of the Tea duties, or of the duties on other articles, he would decline to pledge himself to that reduction by vote so long as the renewal of the Property and Income tax was doubtful or unsettled.

Sir HENRY WILLOUGHBY said, the difficulty which he experienced was this. A Resolution was to be proposed with regard to the House tax, and decided one way or the other. Now, if on future discussions any great alterations should take place in the Income tax, in what position would the House be placed? He concluded, therefore, that it was absolutely necessary to deal with the Income tax first, and to know what would be the result of that discussion. If that tax should be extended to Ireland, it must be extended to every class of property there as it was in this country. In that case there would be some increase in the amount of receipts, and the House would then be able to approach the second question. He confessed that he had no predilection for a double House tax. He did not mean to say that he should not vote for it if he considered it absolutely necessary; but it appeared to him that that question should be considered at the end of the financial proceedings, and not at the beginning.

Mr. JOHN MACGREGOR said, that the House, before meddling with any other question of taxation, ought first to consider the Income tax; otherwise the whole credit of the country would be thrown into a state of suspense and dissatisfaction. He took a similar view both as regarded the order of discussing the right hon. Chancellor of the Exchequer's Resolutions, and as to the extension of the Income tax to Ireland, for he saw no good reason why it should not be levied upon every description of property in that country as well as upon funded property.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. HUME said, he understood the object of going into Committee of Supply, to be to propose Votes amounting to 435,000*l*.—namely, 113,000*l*. for the Navy, 92,000*l*. for the Ordnance, 150,000*l*. for the National Gallery, and 80,000*l*. for the expense of the funeral of the Duke of Wellington. The first two Votes related to the defences of the country, and the House had been told that the Government desired to place those defences in a proper and secure state; but it had not been intimated in what way that was to be done, except that the House was informed the force was to be increased. No one was more anxious than he (Mr. Hume) to see the defences of the country in the most efficient state; but he thought, before the House proceeded to vote an additional number of men, the Government should give some intimation of what they meant to do with the men, and why they were not disposed to resort to that administrative reform of which the right hon. Gentleman the Chancellor of the Exchequer spoke the other night. There had been a Committee sitting for three years on the Army, Navy, and Ordnance Expenditure; but the abuses, waste, and extravagant expenditure which the Committee pointed out still continued. Ships were still built one month, and altered the next; and such a system was maintained that you would not find half the malversation or mistakes in any of the establishments of the great steampacket companies, that you would in any one of our dockyards. A very large proportion of the money voted for the Navy and Army was unnecessary expenditure. The outlay now to be voted was to be provided for by the additional House tax. That was a part of the Government plan, by which, as a whole, they said they would stand or fall; Members could not agree to this Vote without making up their minds to that proposal. The Government ought to lay before the House something satisfactory as to what their purpose was. Some time ago it was thought that 2,000,000*l*. must be laid out to put Canada in a proper state of defence, and the money was voted, and forts built; but they were not manned. In 1844, there was an alarm here about invasion, and forts were ordered; let any man say whether they were not useless now, and whether nearly 2,000,000*l*. were not uselessly spent on these defences. The Committee considered 100 admirals enough, but we had 150, and superannuated admirals were being created every day. There was always a mania for an increase of expenditure; every Administration seized any occasion for it; but even when the occasion was over, the expenditure still continued. He did not believe the Navy was more efficient now than when the right hon. Baronet (Sir J. Graham) was at the head of the Admiralty; and it would be remembered that a sum of 1,000,000*l.* was struck off the Estimates at that period. Were we bound to keep up vessels of war on distant stations when we were told we were in imminent danger from a neighbouring country? He (Mr. Hume) had no belief but that the Emperor Napoleon III. would find that the strength of his Government was peace, and that the stability of France would lie in promoting free trade, and he hoped the Emperor would adopt that course. As to the vote for the National Gallery, the House had no papers as yet before it. A certain clique had got up a plan to carry the pictures out of the town to a spot where they would be of little use to the public generally; but there was a great difference of opinion on the project, and the House had a right to more information and time for consideration. With regard to the Duke of Wellington's funeral, everything that would show honour and respect for that individual, he (Mr. Hume) would be perfectly ready to concur in; but the House ought to know whether the money was properly expended, and they ought to have had an estimate of the expense.

The CHANCELLOR OF THE EXCHEQUER said, that there was no vote before the House for building a National Gallery; the only vote before the House was the purchase of land under rather peculiar circumstances, part of which land might certainly be devoted subsequently to the erection of a National Gallery, but really that had nothing to do with the question now before the House. When it came on, he should lay before the House the reasons which induced the Government to ask the House to vote a sum equal to that which was to be contributed by the Commissioners of the Great Exhibition for purposes of great national interest and importance. There was no specific Vote for a National Gallery, and the only object of this Vote was the purchase of land which otherwise could never probably be obtained by the public. With regard to the funeral of the great personage whom we had lost, he would beg to remind the House that they were told in a taunting manner that probably 250,000*l.* would be expended. The sum was very far short of that; and it was of importance to vote the necessary supply at once; it would save the public treasury no inconsiderable amount if the accounts were closed at once. Of course, a detailed account would be laid on the table, showing how every shilling was expended. He hoped the hon. Member would not oppose the going into Committee of Supply on the general grounds he stated at first. He (the Chancellor of the Exchequer) had said that he should be prepared, on a fitting occasion, to offer to the House some views of Her Majesty's Government on the subject of administrative reform, and that they were prepared to bring the whole income of the country under the control of Parliament; but he particularly said that it would be impossible to bring forward any measure of that kind—to embark in subjects of such importance—till after the financial measures had passed. The measure to be proceeded with now was totally irrespective of administrative reform; and if it should be the opinion of the House, as he was confident it was of the nation, that the country should be placed in a complete state of defence, he hoped the House would lose no time in passing the Votes requisite for that purpose, and that they would allow his hon. Friend the Secretary to the Admiralty now to make his statement.

Motion *agreed to.*

House in Committee of Supply; Mr. Wilson Patten in the Chair.

SUPPLY—NAVY ESTIMATES.

(1.) 6,500 Additional Men.

MR. STAFFORD said, that in discharging the duty which devolved upon him on the present occasion, he hoped the hon. Member for Montrose (Mr. Hume)—inasmuch as his observations had been answered by his (Mr. Stafford's) right hon. Friend the Chancellor of the Exchequer—would not expect him to encumber the question before the Committee by any reference to those questions to which he had alluded. No time could be more inopportune for such discussions than that at which a Supplemental Estimate was brought forward. In bringing forward this Supplemental Estimate, he wished to state that he had no intention of casting any imputations on the late Board of Admiralty, or on the right hon. Gentlemen who preceded the present Government in office. The present Government had taken the Estimates prepared by their predecessors. They had taken them in no party spirit, but in the belief that unless circumstances changed they would be amply sufficient for the public servise. It was usual in asking the House of Commons to grant a sum of money, to lay before it the fullest information with regard to it. At present he felt that if he entered into details he might make a statement which would more properly belong to the introduction of the general Estimates at the commencement of the financial year. He must, therefore, decline making any such statement at present. If he commenced his remarks with the expression of an earnest desire for the maintenance of peace, the most perfect peace, throughout the world, he was sure that every one on either side of the House would agree with him in that expression. The present Estimate was so completely independent of any particular Power—of any particular nation—that he would not refer to any one country more than another. The two Supplementary Estimates which he had now to submit to the Committee were, first, 113,000*l.*, for 5,000 additional seamen and 1,500 marines; and, secondly, 100,000*l.* for the necessary expenses of steam machinery for naval purposes. When they looked back over a number of years and regarded the enormous sum which had been voted for steam machinery, it was impossible not to feel that they had not been able, owing to unavoidable circumstances, to observe a stricter economy in the expenditure of it. If the hon. Member for Montrose believed that all the money which had been voted for steam machinery had been expended for that purpose, he was mistaken; but even allowing for reductions on that head, still he was ready to admit that the sums spent were of enormous amount. But let them remember the circumstances under which those grants were made from year to year. They had in the first place to create a paddle-wheel steam fleet, and they had at present to create a screw steam fleet; and that necessity had arisen not only in our national establishments, but also in every private shipbuilding establishment throughout the country. It would be found that the experiments connected with the new machinery, and the necessity of abandoning machinery after it had been one-half, or three-fourths, or even still more nearly completed, had entailed not only on our national marine, but also on the great private firms which constituted our mercantile marine, an enormous expenditure, which it was impossible to avoid, because it was only by such an expenditure that the authorities of the Admiralty were enabled to arrive at their present conclusions, if conclusions they could be called. He believed it would not be the wish of the Committee, as he was sure it would not be the desire of the country, that after they had established a paddle steam fleet, and found that the paddle was becoming universally superseded by the screw, they should leave our naval defences so far behindhand as to continue the paddle-wheel and go to no further expense in building screw vessels. They should remember, as he had before stated, that the expense which had been incurred was not to be attributed, as he believed, to wasteful extravagance in any great degree, and that still less was it to be attributed to the love of change on the part of the Board of Admiralty, as some hon. Gentlemen had argued in that House. He said it was to be attributed to the frequent new inventions which had been forced upon their consideration, and which had imposed upon them the necessity of entering upon new works at a considerable cost, if they did not wish to see the naval power of this country reduced to a condition in which it ought not to be placed. It had been his good fortune to have gone last summer to the Mediterranean, where the present Board of Admiralty had wisely, as he thought, sent a screw squadron for evolution under Admiral Dundas. The fact of their having committed the command of that squadron to so distinguished an officer, had, he believed, given universal satisfaction to the Navy and to the public generally. After having seen the evolutions of that squadron, as compared with those of sailing vessels, it was impossible not to arrive at the conclusion at which Admiral Dundas had arrived, thoroughly and unreservedly, that the screw auxiliary was in some cases absolutely necessary. Unless some unforeseen new mechanical power should be discovered—and what new discovery might be made they could not undertake to predict—but unless such a discovery were made, screws would no doubt become the future great motive power in our Navy as well as in our mercantile marine. Screws were accompanied with this very great advantage, that the machinery could be kept under water; that they did not offer paddles, which might become, as it were, a target for the fire of the enemy; and that they did not, like the paddle-boxes, take up so considerable a space on deck that it was impossible to place the guns in the most efficient manner. He said that they should, therefore, henceforward resolve upon recognising the combined power of the screw and the sail in our naval and mercantile marine. In order that the Committee might have some notion of the comparative expense of these screw steamships and of the sailing vessels, he would read to them a paper which had been drawn up on the subject. The comparison was between a 90-gun screw steamer and a 90-gun sailing vessel. He would state to them, in the first instance, the cost of a 90-gun sailing ship, and of a screw ship furnished with an engine of 500-horse power. He found that the first cost of a sailing ship, furnished with 90 guns, was about 108,300*l.*, while the first cost of a 90-gun screw ship, of 500-horse power, was 151,800*l.* Then again, the annual expense of a sailing ship would be about 44,335*l.*, while the annual expense of a screw ship, with the cost of coal to nearly the amount of 1,500*l.*—an estimate which he thought a low one, would be 51,678*l.*, showing an increase of 40 per cent on the first cost of the screw ships, and an increase of about 20 per cent on the annual expense of the screw ship as compared with the sailing vessel. The hon. Member for Montrose (Mr. Hume) had stated that they should introduce retrenchments into their dockyard establishments. Now, he trusted that when the Navy Estimates now in the course of preparation were brought forward, it would be found that the present Government had not been remiss in that particular. They had felt that the attention of the public had been strongly directed to these establishments, and not without reason, on account of the large sums that were annually voted for their maintenance, and they could not therefore remain insensible to the necessity that existed for making a reduction in their expenditure; but, as he said before, this was not the proper time to discuss those matters. All, however, that he wished to effect at present was not to leave the Committee unaware of the future—the expensive future—to which they should look forward, unless they wished to see the British Navy behind all the other navies of the world in those aids which science had applied to the development of man's dominion over the ocean. He should next pass to consider that without which the screw and the paddle-wheel would be wholly useless—he meant the number of new men whom they proposed to raise. He proposed a Vote for 5,000 additional seamen, and 1,500 additional marines, for the service of Her Majesty's Navy during the period of four calendar months. But in order to diminish the expense as much as possible, they had assumed that there should only be 2,500 for the first two months. Hon. Gentlemen would see, therefore, that the Estimate had been formed on a basis of employing only half the number of men for the first two months. There was a distinction between Supplemental Estimates and Annual Estimates; for while in the Annual Estimates the muster of men was already secure, the Supplemental Estimates would drive the Admiralty into the market all of a sudden for the number of seamen, and it would be idle to suppose that they could get 5,000 seamen all at once. At the same time he was happy to say that the rumour which had gone abroad with regard to the difficulty of getting men to join the Royal Navy was highly exaggerated, and that the Board of Admiralty found far more facility in obtaining those men than public rumour would lead people to believe. But let them not disguise from themselves that, at the present moment, the British sailor was, perhaps, the most precious article in the market. The Royal Navy had for competitors, not only our large mercantile marines—it had not only to encounter the present stimulus of the gold regions, but it found that there was not a single nation in the world which did not gladly accept on board her docks the British sailor; and he therefore said, it was most important that they should do everything in their power to promote his comfort, and to render the service of Her Majesty a tempting service to him. His right hon. Friend the Chancellor of the Exchequer had said in the course of his financial statement on Friday evening, that he regretted very much that at the time when the British seaman was most efficient he should be turned adrift, and that the recruiting for the Royal Navy should afterwards begin as it were *de novo*. His right hon. Friend had further stated, that that matter would be submitted to the consideration of a Committee composed of persons most competent to investigate it. He (Mr. Stafford) felt persuaded that that Committee would arrive at some satisfactory conclusion. He wished, however, to inform the Committee that any of the proposed 5,000 men who might join Her Majesty's ships would be subjected to no conditions and to no restrictions except those which were already in force in the Royal Navy. There was nothing, as had been pointed out by the hon. and gallant Member for Brighton (Sir G. Pechell), more distasteful to a sailor joining one ship, than that he should be transferred to another.

The new sailors would be perfectly free to select their own ships for the period usual among their class, and there would be no restraint upon any of those men except those already imposed upon their brothers in the service. In order to ensure the comfort and well-being of the seaman, they should consult his condition, his feelings, his fancies, and even his prejudices. If it should go abroad that there was to be the slightest change in the arrangements affecting the new force, he (Mr. Stafford) believed that they would not be able to raise 100 men in six months to join the service. The question of raising those men would naturally lead the Committee to inquire what proposition Her Majesty's Government had to make for our home defence, as far as it could in their opinion be stated with safety at the present moment. If he should then state the outline merely of the plan they had adopted, he trusted that the Committee would believe that he did not enter into more particulars merely because he felt that it would be undesirable in the present case to go further into detail. His right hon. Friend the Chancellor of the Exchequer had stated that his wish was to place the Channel defences in such a position as to set that question at rest. They believed that, although it would be impossible absolutely to confine any one ship to any particular port, for it would be necessary that the fleet should exercise itself occasionally in the Channel; but they also believed that the vessels should in general be stationed at particular points, and the following was the arrangement which they were prepared to adopt on that subject. They thought there ought to be stationed at the Nore three frigates and five steamers; at Plymouth four sail of the line and five large steamers; and, lastly, at Portsmouth five sail of the line, two frigates, and six large steamers; for they had in that latter case to consider the exposed nature of the coast, and not forgetting Osborne and the hopes and loyal sympathies which often centered there, he thought this would not be looked upon as too large a force for the defence of our own shores. That was the plan which they proposed to carry into effect if Parliament should grant them the necessary funds for the purpose. They thought that they ought to have 10,000 seamen besides the marines for our home defences. He might take that opportunity of observing that they had, at the present moment, only six or seven men, more or less, than the number voted by Parliament; so that they had so far kept themselves strictly within the limits laid down for them by the Committee. They felt, however, that the time had arrived when, with the most pacific intentions, it was absolutely necessary that we should put our Channel defences in a new position, and man the Channel with a larger force. He should repeat—with a prayer and an earnest hope of peace; and the conduct of England, since the establishment of peace, was, he believed, a sufficient guarantee to Europe that the expression of that wish on the part of the British Government was no idle word. They wished for no addition to our territory—they wished not to interfere with the internal policy of any other country; but they wished that the poorest of their subjects in the most distant quarters of the world should feel that the British flag was a succour and a source of safety him. They believed it was most desirable that England should keep faith with other nations, and should rigidly adhere to existing treaties. They felt, however, at the same time that we ought to transmit, unimpaired, to our descendants, our great colonial empire, and that we ought to have a fleet to protect in distant seas those merchant vessels whose owners were perpetually soliciting the Admiralty for the presence and the countenance of one of Her Majesty's vessels, for the purpose of securing respect for themselves and security for their commercial operations. But, above all, Her Majesty's Government sought the aid of that House—and would not, he was sure, seek in vain—in their endeavours to keep our native islands inviolate, and to render a contest short and decisive if a hostile force should ever attempt to set foot upon our shores. He trusted that if he should then decline to enter into any detailed information with respect to that Vote, no Gentleman would attribute such a course to a desire to treat him individually with discourtesy, but would feel that it was owing to the determination at which the Government had arrived, after the most serious consideration, that it would be better under existing circumstances not to enter into any particulars with respect to that case. He asked the present Vote from the House of Commons, not as a Vote of Confidence in any particular Ministry, but as a Vote of Confidence in that Executive which, whatever party might be at the head of the Government, must necessarily be charged with the defence of the country—must necessarily be in possession of secret and important intelligence, and must necessarily be the fitting and only judge how far that intelligence ought to be communicated to the House.

Mr. HUME said, he had always declared his objections to the building of more ships than we could employ; and now it was discovered, after laying out millions of money upon war steamers with paddle-wheels, that they would not answer the purpose, and therefore a new fleet of screw steamers was necessary. That ought to show us the folly of which we had been guilty for so many years of keeping up such enormous establishments. We had been throwing away 2,000,000*l.* yearly upon our dockyards, and he really thought that it might be a question whether we ought not to build our ships by contract. He himself should be disposed to object to any additional Votes for the Navy until all the recommendations of the Committee upstairs had been adopted—until our ships had been brought home from foreign stations, where they were only doing mischief, and until all useless officers had been placed on a retired list. We continued to keep up the number of 150 admirals, although we did not employ twenty of them. He did not know whether it would be of much use, but he protested against the Vote altogether.

Lord JOHN RUSSELL said, that the question before the Committee related to the raising of 5,000 additional seamen and 1,500 marines. That question had no connexion with those to which the hon. Member for Montrose (Mr. Hume) had referred, such as the expenditure in the dockyards and the age of admirals. He (Lord J. Russell) conceived that those topics might be fitly discussed when the Naval Estimates came under consideration, and then it would be for the members of the late and of the present Government to state their views upon these subjects. But the present proposal was to raise 5,000 additional sailors, and 1,500 more marines, and he must say that such a proposal had his warm assent. He believed that it was right and necessary to provide a sufficient defence for this island, which was the citadel of a vast Empire, and he was very glad that Her Majesty's Government, having been persuaded that such a force was necessary, had not shrunk from proposing it. He believed that so far from its being an unpopular Vote, the nation would gladly learn that it had been carried, and he, for one, gave it his cordial assent.

Mr. W. WILLIAMS said, he thought that Her Majesty's Government were justified in proposing this increase to the Navy. He deeply regretted that, during the discussions last Session on the defences of the country, the Navy was placed almost entirely out of view. The Navy, in his opinion, ought at all times to be regarded as the very bulwark of our defences. But he agreed to this proposed increase of 6,500 men to the two branches of the Navy, not because he thought it necessary, but in deference to the opinion of the people of this country, whose alarms on the subject of our national defences, ought, he thought, to be calmed by such a step as this. But when the public out of doors were informed of the present state of our national defences, he hoped they would be satisfied that we were in a state of security against any attack, come from what quarter it might. We had, as defences of the country, cavalry, infantry, and artillery of the line, with its auxiliaries—which forces included 187,000 men. To that were to be added, for sailors and marines afloat, 39,500 men—making a total of 226,500 men. We had, besides, in the Colonies 46,500 men, and in India 30,500, which gave us a force at home and abroad of 303,500 men. Our defences were, therefore, on a footing of unquestionable security. We had now 138,000 men engaged in the national defence more than we had in 1835. Such an increase was incredible. He was willing to admit that the Admiralty was the most efficient branch of the public service, and the present Board displayed more energy and had done more real good than any of its late predecessors. He trusted that the hon. Secretary of the Admiralty would do nothing to forfeit the good opinion thus expressed of the manner in which he had discharged his duties. He wished to call the attention of that hon. Gentleman to the system of corporal punishment at present pursued in the Navy. That system was the great obstacle to the proper manning of our fleet. It gave a power to one man to inflict punishment, without the control of any other party—a power which, he thought, ought never to be vested in the hands of any man. He (Mr. Williams) trusted also that savings banks would be established in the Navy, as had been the case (with the most beneficial results) in the Army. If they were established in the Navy, the sailor might be made, to a great extent, a provident person.

Sir GEORGE PECHELL said, he believed there were very few persons, either in or out of the House, who were not disposed to concur with the hon. Gentleman the Secretary for the Admiralty as to the necessity of increasing the efficiency of the Navy; but the hon. Gentleman had not stated that the money voted for that purpose last Session was not sufficient. He had not told the House what had become of the 30,000*l.* which had been voted as a reserve fund. The hon. Gentleman stated that the intention of the Government was simply to raise 5,000 additional seamen, half of whom were to be brought into service within the next two months, and that they would not be liable to be moved from ship to ship, according to the present practice. But there were other points on which he had not given any explanation. The sailors were at present very much dissatisfied with the late regulations with regard to their provisions, especially in having the quantity of their grog limited, which was a very delicate question as far as regarded seamen. Until that grievance was redressed, they would find great dissatisfaction prevail. Men who had lately been paid off were found not to return to their ships. They also felt exceedingly annoyed at the system of being sent about from ship to ship. It greatly interfered with the comfort of their families, and caused them much expense in wear and tear. Again, with regard to promotion, now that they were raising these additional men, it would, in his opinion, be well to make them understand that when they became petty officers they would be considered deserving of pensions. These petty officers were the men on whom they could always rely, and he thought their case had not been sufficiently considered. Much dissatisfaction had also been created by the order of the Admiralty in respect to the prices which were charged to the seamen for their provisions, especially their sugar and tea. He hoped, now that the right hon. Chancellor of the Exchequer was about to reduce the duty on the latter article, and as the duty on sugar had already been reduced, a proportionate reduction would be made in the charge for those articles to the sailors. This was a peculiar time, at which it was very important that our sailors should be made to understand that their condition would be improved. With regard to punishment in the Navy, to which his hon. Friend (Mr. W. Williams) had alluded, he would just observe, that no captain in the Navy could order any punishment to be inflicted within twenty-four hours after the commission of the offence; there was, therefore, ample time afforded for due consideration as to the degree of punishment to be inflicted. Monthly or quarterly returns were also required to be made from all ships as to the number of punishments which had taken place. It was, therefore, not very safe for any captain to return home and demand his promotion unless his list of punishments was such as the Admiralty might not consider either intolerable or harsh. For his part, he had always voted against corporal punishment, and in favour of substituting imprisonment or some other kind of correction. But he believed that every caution was now taken that nothing of a cruel or tyrannical character should take place on board Her Majesty's ships. He believed no officer or commander of a ship would stand well at the Admiralty if it were found that he had unduly punished his men.

Mr. STAFFORD said, that 30,000*l.* had certainly been voted on a late occasion; but at the same time an understanding was given that it should be maintained for the purposes of a Naval Reserve. It had not, therefore, been used at all, nor was it the intention of the present Board of Admiralty to avail themselves of it. If he had understood the hon. and gallant Gentleman (Sir G. Pechell) rightly, he thought that sailors ought to be tempted into the service by promises of pensions when they became petty officers; but surely the hon. and gallant Gentleman would not make any difference between these and the other men in the service. His right hon. Friend the Chancellor of the Exchequer had said that certain alterations might with effect be made in manning the Navy; but it would be a misconception to conclude from the words of the right hon. Gentleman that the men hereafter would be liable to more restrictions than they had been liable to before. The same system which had hitherto existed, would, so far as their liberties were concerned, still remain. The hon. and gallant Gentleman had not exaggerated in his statement as regarded corporal punishment. The present Board thought that officer the most meritorious who could manage his crew with the least recourse to such extremities, and by recognising them as fellow men. Still, as to corporal punishments, he believed that if you put it to the Navy, they would themselves say it could not be altogether avoided. The 5,000 men now asked for were to have their choice of their ship, and when they had chosen it were not to be removed from it.

Captain SCOBELL begged to congratulate the Committee and the country that at last they were about to take the right means for our national defence. He had always held that they had reason to complain, when they were discussing the question of defences last year, that the militia force was put in advance of recruiting the Navy, and using those natural means for the safety of the country which Providence had given us. What the noble Lord the Member for Tiverton (Viscount Palmerston) then said about nothing being able to resist the enemy approaching our coast and landing on our shores, had fallen to the ground, since it was proposed to have a full command of the Channel by the formation of a fleet ready at any moment to encounter the enemy. He thought, also, that there would be plenty of means of saving the money expended on this extra force, if they only instituted a rigid examination into the way in which naval money was now spent, for at present, in almost every item, the expenditure was susceptible of very great improvement. To those who knew the way in which the public money was spent in the dockyards, there was a fruitful source of economy to be found in that. The Admiralty began some time back by having a paddle fleet; now he was glad to find they had become converts to a screw fleet. He certainly thought they were right, but warned them not to run on before the science of the day. They would not live two years before they saw further improvements, and therefore when they talked of assembling fleets at Portsmouth, Plymouth, and the Nore, they should not run into hasty expense. The great point was this—to take care that England had the command of those waters which made her invulnerable. No nation had the right to say to England, "Why do you increase your Navy?" It was our natural defence. They had their armies as theirs. We had the ocean as our field of defence, and not from any jealousy, but simply for the purposes of defence. We must avail ourselves of the ocean, and increase our Navy as might be required. The great mistake hitherto had been—he was glad the present Admiralty had avoided it, and gave them every credit for so doing—that they had sent nearly all our vessels abroad, and that those even allowed to stay at home were refitting or not half manned, so that at home there was scarcely a vessel fit to go out and meet an enemy. He found now that they were not only going to have 5,000 additional men for the Channel fleet, but, as he understood, 10,000 altogether. The hon. Secretary to the Admiralty had said that it was intended to retain the 5,000 there already, and that 5,000 extra were henceforth to be employed, not as a demonstration of war, but as an acting security. At present he would make no observations on the mode of manning the Navy—he had given a notice on that question; but he might say that he hoped those officers who were examining into the subject of the naval improvement in respect to manning the fleet would do so in a generous spirit, and would recollect that England must depend at all times, and under all circumstances, on having the command of the sea. They must recollect that unless they made the service popular, it would be utterly impossible to get a sufficient number of good and efficient seamen, and that, if a war suddenly broke out, they would act at a disadvantage, or be obliged immediately to apply to improvement. He was glad the Motion before the Committee seemed to be cordially accepted on all sides, for the Navy was our true legitimate and certain defence, and no other could be equal to it.

Mr. CORRY said, he should not have addressed the Committee upon the present occasion had it not been for an observation which had fallen from the hon. and gallant Member who had just addressed the Committee. The hon. and gallant Member had expressed a hope that the Admiralty would not go too fast in constructing screw vessels, but would wait and see what improvements might be introduced in that motive power. Now, it would no doubt be desirable that experiments should be carefully made before any considerable expense was incurred in the construction of our ships, if time were afforded for such experiments; but it should be remembered that the most important point of all was that provision should be made for the safety of the country. The Board of Admiralty felt that they could not postpone the construction of screw steamers while other nations were building vessels of that class. He would read an extract from a preliminary note to the French Navy Estimates for the present year, which would show the importance attached in France to that point. It was there stated that—

> "The alteration of ships of the line into steam vessels had become a political and naval necessity of the first order. It was impossible to postpone those changes any longer without reducing France from the rank she ought to hold among the nations of the world. The greater portion of the naval estimates for the year 1853 was to be applied to that useful work."

If this country were to suspend her works in that direction, France would in the course of a year have fifteen or sixteen screw steam ships, while we should have but three or four. With regard to the supplemental vote of 5,000 men, then under the consideration of the Committee, he could not help expressing his gratification at finding the Government come forward with such a proposal. He had shown last year that France, with an enormous military force, had more vessels on her home station than England had on her home station. He trusted that the proposed 5,000 men would be kept in the Channel, and would be added to the force hitherto stationed there, and not frittered away on foreign stations.

Mr. HUME said, he wished to know how it happened that of 160 sail of the line which we possessed, only twelve or thirteen were kept at home for the defence of our shores. He was desirous as any man could be that we should have a powerful fleet, but he protested against its being broken up into fragments, and scattered throughout every sea, instead of being maintained in great measure for the defence of our own shores.

Sir FRANCIS BARING begged to express his approval of the proposed increase. No one knew more than himself how difficult it was to state the grounds for any increase. It was for the Government to state, on their responsibility, what they thought necessary for the service of the country, and he was not one of those who would oppose what they so thought necessary. It was the habit of many hon. Gentlemen in that House to keep up a sort of rattling fire upon every Board of Admiralty; but when the proper time arrived, if hon. Gentlemen pleased to attack the course he and his Colleagues had pursued when in office upon the Naval Estimates, he should be ready to say what he thought might be said upon the subject; but he hoped the Committee would not always believe the statements that were made by hon. and gallant Officers. It was astonishing what inaccurate statements and charges were made, and he really thought hon. and gallant Officers ought to inquire a little before they made them.

Mr. HUME said, the Committee had just seen a specimen of the manner in which Gentlemen who had been in office attempted to put down any one who dared to complain of the acts of any branch of the Executive Government. It was idle to talk of the responsibility of a Minister in matters of Naval or Military expenditure, for everybody knew that such responsibility was only theoretic and imaginary. Responsibility no doubt did attach morally to a Minister in such matters; but where was the Minister who was ready to answer for that responsibility? There were, at the present moment, no fewer than 39,000 seamen and marines in the service of Great Britain, and now it was sought to augment that prodigious number by the addition of 6,500 more; but before any such augmentation was agreed to, the Committee ought to be informed of the present position and actual employment of this enormous force at present in pay. Where were they, and what were they doing? For his own part, he was disposed to regard with disfavour and suspicion this proposition for an increase of our naval force, for he could not forget that Mr. Pitt, whose authority was considered paramount on the Ministerial side of the House (as long as it coincided with their own policy) had always maintained that 16,000 marines and seamen were all that were required for the maritime defence of the country. No doubt the times were changed, for Ministers had been going on from one act of extavagance to another of late years; but still there was reason in all things, or there ought to be, and he was sure the present naval force was quite sufficient for all purposes of national defence.

Sir GEORGE PECHELL was sorry for the dispute between the two Boards of Admiralty, but thought for his own part that for the last seventeen years there had been a good deal to complain of.

Captain SCOBELL said, it would be very difficult to speak in that House on naval subjects, if each representative of the different Boards of Admiralty were always to get up and make an attack on the speakers. The very measure before the

Committee was a reflection on former ones, because it proposed to do what they had neglected doing.

Vote *agreed to.*

(2.) 100,000*l.*, Steam Machinery.

Sir GEORGE PECHELL said, there was certainly a very prevailing opinion that the amount already voted for steam ships would be perfectly sufficient if the Admiralty knew their own mind. Unfortunately they did not. A ship just ready for launching was pulled about in the most extraordinary manner. There was the *St. Vincent*, which had lately been docked at Portsmouth, all dismantled, and the whole expense upon her thrown away. There was also the case of the *Windsor Castle*, and it was beyond calculation what the cost of all these alterations would come to. He had asked the hon. Gentleman on a previous occasion for the number of vessels which had had, or were going to have, the operation for the screw performed upon them; but the hon. Gentleman had replied that that was information which it was very impolitic to give. But he said still that there was nothing in it in any way to prejudice the interests of the community, that it was impossible to maintain any secrecy of that kind, and that, after all, the hon. Gentleman must give him the information he required. In the same way, when he wished to know the expense of converting the *Ajax* and the *Blenheim* into screw steamers, the hon. Gentleman refused that information; but that also he would be obliged shortly to give. He thought, moreover, that the system of saluting admirals who changed their flags was carried on to a truly ridiculous extent. There was nothing but firing along the entire coast, to the great astonishment of the people, who naturally enough thought that the militia were on the point of being called out, and that the French were coming. Then if a picnic took place at the Isle of Wight, off went a steamer with an evident sacrifice of useful fuel. He thought if the House of Commons would order returns of the number of times steamers were ordered to light up their fires on such occasions, it would check the wasteful expenditure to which he had alluded. Then there was the practice of pulling ships to pieces. When a ship put into port, she was paid off just as her men had become instructed in the art of gunnery, and the ship was pulled to pieces whether she wanted repairs or not. He thought all these matters caused a wasteful expenditure, of which the people justly complained, and he must say he was most reluctant to agree to this vote, being of opinion that they had both ships and men enough.

Mr. STAFFORD begged to explain, that the number of men at present employed, with the additional 5,000 demanded, would man the fleet and leave a reserve.

Mr. JOHN MACGREGOR said, he must complain that a large unnecessary expenditure had been annually incurred for want of due attention and economy in the naval yards. It mattered not who was at the head of Admiralty affairs, no efficient reform could be introduced without a complete reconstruction of the system. He thought an account should be laid before Parliament showing the cost of every ship in the Navy, not only for her first construction, but for all repairs and alterations she might undergo. He believed the *Windsor Castle* and others which were being adapted for the screw, would be found totally inefficient as ships of war. They would not be able to carry their complement of men, or a sufficient supply of coals and ammunition. In the dockyards the men did not perform more than a third of a day's labour for a day's pay, and until that system was reformed, we could not expect either economy or efficiency. In consenting to the Vote, he reserved to himself the right to call attention to any vessel now being altered from a sailing to a steam ship, should the failures he anticipated occur.

Captain DUNCOMBE said, that two-thirds of the sum sought for under the present Vote would doubtless pass into the pockets of the hon. Member's (Mr. M'Gregor's) constituents, from whom the requisite steam machinery would be obtained.

Mr. SIDNEY HERBERT hoped there would be no division on the Vote. The unanimous acquiescence of the Committee in it, taken in conjunction with the establishment of the militia, would prove to the world that the people of England, however anxious for economy, were willing to make any sacrifice that the Government might think necessary for perfectly securing the state of our national defences.

Vote *agreed to.*

(3.) 73,971*l.* Charge of Wages.

Captain SCOBELL said, that he would take occasion to observe, that much good would probably result to the service if the

Admiralty, instead of building all their own vessels, were occasionally to employ private builders. Some of the Admiralty built ships were undoubtedly splendid vessels, but they had not yet reached perfection. It was a remarkable circumstance that this country had no vessels during the war at all so good as those which were taken from the French.

Vote *agreed to;* as were also

(4.) 1,200*l.*, Medicines.

(5.) 37,929*l.*, Charge of Victuals.

SUPPLY—ORDNANCE ESTIMATES.

(6.) 70,825*l.* Additional Men, Artillery.

Colonel DUNNE said, that in explaining the additional means of defence it was proposed to carry out in his department, he would remind the Committee that of those means, none were more important than the artillery force. To that force it was now proposed to make but a very modest addition. In the first place, it was intended to add 2,000 to the number of the men, and to make an addition of 1,000 horses—not 30,000, as had been stated by an hon. and gallant Member opposite. They were all aware that a portion of the artillery force was called the Horse Artillery. At present it was usual to take the horses of the men of this arm of the force, for the purpose of drawing the guns and carriages; and the consequence of this was, that the men had not that constant drill which was necessary to keep them in the most perfect efficiency. It was to remedy this defect that the additional 1,000 horses were required. The charge for this extra force would be 70,825*l.* for the three months to the end of the present financial year, including pay, bounties, clothing, and what was called levy money. There would be another item of 5,133*l.* for forage for the horses, and another of 2,700*l.* for ammunition, and there was a third of 14,000*l.* for new iron Ordnance—that was, for guns of a larger calibre than those now generally in use—about one-fourth of which would be applied to the Navy. The total vote was 92,658*l.*

Mr. MUNTZ said, that it was of no use having more artillerymen and more horses unless a better practice-ground was provided for them. He had been that day at the practice-ground at Woolwich, and found it to be of small dimensions and at right angles to the Thames, and on inquiry he was told that the men were often compelled to suspend their practice, and stand still for an hour or two together, in order to allow the vessels in the river to pass up and down without being fired into. He understood that to purchase a practice-ground of sufficient extent, running parallel to the river, and which might be used at times, would cost only 60,000*l.*

Colonel DUNNE said, he was compelled to admit that the present practice-ground at Woolwich was almost useless; but negotiations which had been opened before he came into office were now going on for the purchase of a practice-ground at Shoeburyness, which he had reason to hope would have the effect of removing the difficulty. It was not an easy matter to get a practice-ground for artillery, seeing that the shot was sometimes thrown a distance of five miles; but he hoped by the success of the negotiations he alluded to, soon to be in a position to submit a proposition for the purchase of a site in every way adapted for the purpose.

Mr. HUME thought it told little for the attention paid to the artillery that they had not sufficient practice-ground. He objected to the proposed increase, which would add about 400,000*l.* to the Estimates on the year, seeing that the vote was only for three months. He would be glad to know, also, why it would be necessary to pay so large a sum as 10*l.* bounty-money per man, and why it became necessary to cast larger guns when there were so many already in store?

Mr. W. WILLIAMS said, that, including the dockyard battalions, we had now 20,000 more men trained to arms than we had fifteen years ago, and yet it was proposed to increase the artillery.

Colonel DUNNE said, that the sum of 10*l.* was not intended to be wholly applied to bounty. Two several sums amounting to 3*l.* and 1*l.* 19*s.*, would be applied to the expenses of the removal of the recruit to head quarters, but the bounty would be only 5*l.* 15*s.* 6*d.*

Sir FREDERICK SMITH begged to say, in reference to some observations of the hon. Member for Montrose (Mr. Hume) as to the number of men now required for the artillery, that there was a great inequality between the number of guns and artillerymen in such garrisons as Portsmouth and Gibraltar. As regarded the horses required, it required long practice to make them so steady under fire as to stand to the guns. As regarded the strength of the force of artillery, it should be remembered that recent battles had been, and future battles would be, chiefly decided by that arm, and that our strength in that respect must be made proportionate to such requirements.

Mr. HUME said, if there was such a disproportion between the number of artillerymen and the number of guns, what had become of the artillerymen of the dockyard battalions?

Sir FREDERICK SMITH said, that the dockyard battalions were available only in naval depôts, and that artillerymen were wanted in other garrisons as well as in the Martello Towers.

Mr. HUME said, he could not refrain from expressing his surprise at anything being said of those monuments of folly.

Captain SCOBELL said, that there were now 10,000 artillery in this country; and as we had got the militia to take care of us in 1852, and the hon. Secretary of the Admiralty had stated that by his proposed plan the coasts would be safe in 1853, he thought this addition to the artillery might have been left to 1854.

Colonel DUNNE said, that the whole number of artillerymen was 12,408, of whom there were but 5,000 at home.

Mr. W. WILLIAMS said, that by a return which he held in his hand, it appeared that the number of men voted to the Ordnance last year was 15,000, and it was now proposed to add 2,000 more, making 17,000.

Colonel DUNNE said, that he had spoken only of artillery, while the number spoken of by the hon. Gentleman included the Sappers and Miners.

Vote *agreed to:* as were also

(7.) 5,133*l.*, Forage for 1,000 Horses.

(8.) 2,700*l.*, Charge of additional Labour in making up Ammunition.

(9.) 14,000*l.*, Purchase heavy iron Ordnance and for Projectiles.

Sir GEORGE PECHELL said, he objected to the Vote, as there were already so many guns in store.

Mr. HUME said, if this vote was for new ordnance or experiments in new guns, he would not oppose it, but he should like to know.

Sir FREDERICK SMITH said, that foreign Powers, especially France, had of late armed their ships with 10-inch guns, which exploded shells containing 4 lbs. of powder, while in this country hitherto we had only used 8-inch guns, which threw shells containing only 2 lbs. of powder. Captain Chads had stated that a 10-inch gun with such shells would at once destroy a ship, while 8-inch guns would not. In this country we had been introducing 56-pounders in the land service, which had a range of 3,500 yards, instead of the old 32-pounders which had only a range of 2,500 yards. It was very desirable that we should have guns of the largest bore.

Mr. HUME said, if the vote was intended for experiments of that kind, he not only had no objection to it, but thought it was only the duty of the Ordnance to attend to such matters. He remembered that the late Sir Hussey Vivian had sent all over Europe to find whether there were any weapons in use superior to our own: and in doing so that gallant officer acted most properly.

Vote *agreed to.*

SUPPLY—THE NATIONAL GALLERY—INDUSTRIAL UNIVERSITIES.

(10.) 150,000*l*, Purchase of Land for Institutions connected with Science and Art.

The CHANCELLOR of the EXCHEQUER: Mr. Patten, with regard to the next Vote, I wish to correct an impression which has been erroneously adopted by the hon. Member for Montrose (Mr. Hume) respecting its object. It is a Vote for a considerable sum of money, not less than 150,000*l.*, and it would certainly appear at the first blush to be merely for building a National Gallery, which is not the case. I will explain briefly to the Committee the circumstances which induce the Government to propose this Vote. There is no doubt that the time has come when we must study more the industrial education of the people of this country, and when we must bring the influences of science and art to bear upon production more than they have prevailed up to the present period. A great revolution has for some time past been taking place in those circumstances which have given superiority to our manufactures. Hitherto this country has exercised a very great supremacy by its command over the raw material; but daily the raw material has become more equalised in price from the improved system of locomotion, and it will be impossible to sustain the supremacy of our manufactures by merely a superior command over the raw material. The time has come when the intellectual element becomes one of the most important elements of competition. This was felt very much during the period of the Great Exhibition, and I believe I may say it was the result which was arrived at by those who upon that occasion exercised the office of jurors, and examined with impartiality the productions of all countries in competition with our own—they arrived at the result, which it was unnecessary then ostentatiously to announce, that if we wished to maintain our superiority in the arts of production, we must consider that the intellectual element in production must be more studied and cultivated than heretofore. They found that in many countries there was a superiority in design; that from scientific agencies there was a power of competition with us, which countervailed that superior command of the raw material which had hitherto supported our industry; and that, in short, the time had arrived when we must seriously consider of increasing the means by which we were to maintain our superiority. Now, Sir, in all the countries of Europe this great want has long been recognised. There is not a town of any eminence on the Continent in which there is not a school where the influences of science and art are brought to bear upon human production, and there is not a capital in Europe in which there is not an Industrial University. There has been no deficiency either of the means or of feeling on this subject in this country for many years past; and it is a curious fact, though we have not succeeded in bringing to bear the influences of art and science upon the manufacturing skill of this country, that there are in this metropolis alone not less than 100 institutions devoted to the cultivation of art and science. There is an annual sum raised on their behalf by voluntary contributions amounting to 160,000*l.*, and the nation contributes nearly 100,000*l.* more in support of such considerable institutions as the British Museum, the National Gallery, and others—making together about 250,000*l.* expended annually for the very purposes which, unfortunately, have never been attained; and the question has naturally arisen, why, while there was such evidence of an anxious wish on the part of the people of this country to cultivate the arts and sciences, shown by their willingness to expend so large a sum of money, and while the State contributed in the same spirit, has any systematic attempt to bring the influence of science and art upon manufacturing industry never to any extent been brought to a satisfactory issue? The result of our evidence at the Great Exhibition, of our observation of what has taken place in other countries, and of the convictions which arose, not only in those of philosophic mind, but also of men with practical views, was, that the time had come when it was necessary that a great effort should be made by which an industrial education should be secured in this country, and the influences of science and art upon productions be more systematically brought to bear. The subject at that time attracted the attention of the Royal Commissioners of the Great Exhibition, at the head of whom it is unnecessary for me to observe is the illustrious Prince, of whom I may say that while he is probably more qualified than any man in this country to elevate, to refine, and to form the tastes of the people; so there is no one who has addressed more indefatigable hours, or more unceasing thoughts, to this high purpose. Well, Sir, the Royal Commissioners found themselves in the possession of a considerable surplus after the termination of that remarkable Exhibition, which will always form one of the most interesting chapters in the history of man. That available surplus was not less than 150,000*l.* Besides that, they had, as contributions from exhibitors and from foreign States, the foundation of an extraordinary museum of industry, which probably in value itself amounts to not less than 9,000*l.* The Royal Commissioners, therefore, who were more conscious than any body of men in this country of our great deficiency, and of the absolute necessity which now exists for making such efforts, took into consideration whether, with those funds in their possession, an opportunity had not arrived when they might possibly give some great impulse to the national feeling, and perhaps lay the foundation of that complete industrial education which is essentially necessary for the interests of this country. Well, now, Sir, they had to consider what was the reason that in this country, where we should have supposed that there existed every cause which should have developed education of such a description, hitherto we had been so unsuccessful in any general and satisfactory measure; and they found, after a full consideration of the question, that it was to be attributed mainly to two causes—the want of system, and the want of space. I think it may truly be said, that to the latter cause the first may be attributed. We have a number of institutions scattered over this great metropolis, in none of which can the object of them be sufficiently or satisfactorily developed, owing to the scanty space at their command. At the same time, while they cannot satisfactorily fulfil the objects for which they have been instituted, the same want of space, the same necessity of being scattered in different places, by preventing juxtaposition, prevents any united effort by which their concentrated energies can be brought to bear upon the great ends in view. If you examine some of the principal institutions, both those founded by individuals and those supported by the nation, you find always one complaint. If you go to the Royal Society, for example, you find that there has been for many years a constant appeal for more accommodation, and additional means of developing the objects which they were instituted to fulfil. If you go to the Royal Academy, it is a fact that during the four summer months—the time most favourable to the student, the very months most suited to painting and drawing—the schools are obliged to be closed, because they must then prepare for our annual exhibition of national art. I need not remind you of the state of the British Museum at this moment. I had the honour to-day of attending my noble Friend the First Minister of the Crown, and receiving a deputation on the subject, which laid before us facts which are probably notorious to many Gentlemen in this House, although, perhaps, they are not so much interested in them as I, who have recently listened to the narrative. The fact is, that at this moment there is not accommodation in the British Museum, which is a mass of collections on all subjects, for any one single branch of literature, of science, or of art. The library in the British Museum is now increasing at the rate of 16,000 volumes a year, and in less than thirty years a collection which now nearly amounts to 500,000 volumes will be doubled. The accommodation is exceedingly deficient, but, if we once cease in the increase of our national library, links will be wanting in the chain which can never be supplied. We have collections of art and of science at this moment stowed in cellars. It was necessary to establish the Schools of Design that were founded in this country in different places and under different roofs. If you look to our National Gallery, our collection of pictures is not nearly as rich as it might have been, because there is no proper receptacle for the contributions that would be voluntarily made. At this moment the pictures of our national galleries are absolutely stowed in different buildings; and, instead of their being under the same roof, and forming a complete school of art—a collection which, presenting the styles of different ages and of different schools, might form the taste of the present age—you must walk from one street to another before you can be aware of the treasures which we actually possess. Well, Sir, the Royal Commissioners, feeling that the time had come when some effort should be made to concentrate all our scattered energies for the great object of the industrial advancement of the nation, were conscious that before they could establish that national arrangement in which we have been all along so deficient, it was absolutely necessary that they should overcome one great difficulty—that they should obtain sufficient space for their object—and they have with this view purchased, in a spot which I myself think eminently adapted for their object, a considerable portion of land. They have made considerable purchases very near that spot where the Crystal Palace originally rose, and in a place where it is not impossible that they may be able even materially to increase the amount of land. They have expended for this purpose money which remained as the surplus of the contributions to the Exhibition, and they applied to Her Majesty's Government to ascertain whether we would recommend to Parliament that the State should contribute an equal sum to that which they themselves expended for this object. The Committee will recollect that this was the last and the only opportunity of obtaining that, a want of which had hitherto rendered all our attempts to bring art and science to bear upon public education unavailing—I mean adequate space. If we lose the opportunity of purchasing this land, no other similar opportunity will again occur. In this rapidly increasing city there is no other spot where so large a space of land could be obtained. Well, if the House of Commons will consent to the proposition which the Government is about to make, and will agree to contribute an equal sum to that contributed by the Commissioners of the Great Exhibition—the joint contributions making 300,000*l.*—we shall then be in possession of a space of land which will allow us at last to bring to bear that united influence of science and art, in all their forms and combinations, which we believe will afford to the people of this country a complete industrial education, which will raise our productions in the scale of invention, and which will, more perhaps than other causes, tend to promote the improvement of the humbler classes. Unquestionably, if the Committee assent to this proposition, it will be expedient that we should use part of this spot for the erection of a National Gallery on a great and complete scale; but that is not by any means the only object which the Commissioners have set before them, if Parliament will assist them. They wish that there should be what I may style a great commercial museum, in which may be found specimens of all the raw produce of the world. They wish that that should be followed by a repertory in which every machine that the ingenuity of man has devised, or can devise—the machinery which is to act upon that raw produce—may be studied by the people, and that they may find in that study a stimulus to their invention. Next, when this machinery has acted upon the raw produce, we wish to show the results in some museum, in which every possible manufacture of man may be witnessed. The National Gallery, and the galleries of art and sculpture in every form, will afford a fourth division, where in the study of the appropriate and the beautiful, the sources of ornament and decoration may be furnished. If the Committee will assent to this proposition, we hope we may do even more than that which I have so slightly and so feebly sketched. Besides these four great divisions of raw material, of the machinery which man invents, of the manufacture which he creates, and of the art which inspires him, we hope we shall overcome a difficulty which has always been experienced in this country, and of which all our learned societies complain—I allude to the inability of those societies to confer together, and their want of juxtaposition. When we find a society like the Royal Society, so long a light of science in this country from the days of Newton, complaining that it has no means of fairly developing the uses of which it is susceptible—when we find that complaint not confined to the Royal Society, but proceeding from all the learned and scientific societies in the Kingdom—we feel that the opportunity may now be afforded to those societies of assembling together in the same spot, and we may look forward to the time when you will find the learning, the science, and the art of the country collected together in one place, and illuminating with their accumulated radiance not only the metropolis but every part of the United Kingdom. We are not attempting to do this by any compulsory means. All we recommend is, that space shall be afforded and secured, because upon space system entirely depends. When space is afforded, we shall allow the natural feeling of the country and the bent of these societies fairly to develop themselves. By no forced means whatever, but by what we contemplate as a natural process and as a consequence of irresistible circumstances, we shall find in one spot all that can form, all that can enlighten, and all that can elevate the intellect of man, and from this focus we shall give to this country a stimulus which, acting upon the intelligence of the people, shall elevate their ideas, enlighten their minds, and give to their inventions a much higher and purer aim than they have yet achieved. I do not know that I need say more. Perhaps, indeed, I have said too much. I shall only be glad if I have not said it in vain. But I wish to make the Committee clearly understand what is the Vote to which I ask them to agree. It is not merely a gross sum of money which we are asking the Committee to vote for some particular object, but we ask you to unite with those who are prepared to act with you, and to display equal liberality. I have no doubt many hon. Gentlemen have read those Reports which, by command of Her Majesty, have been laid upon the table of this House. To me I confess there is something touching in the shillings of the million being the foundation in this country of a great movement which I cannot myself doubt will raise the character of the country and the education of the people. I think it is a legitimate appeal which I am making to the Committee, and I trust they will agree to the vote I am now about to place in the hands of Mr. Wilson Patten.

The CHAIRMAN then read the Resolution, which was handed to him by the Chancellor of the Exchequer, and which was to the following effect:—

> "That a sum not exceeding 150,000*l.* shall be granted towards defraying in 1852-3 the purchase of land at Kensington Gore for a new National Gallery and institutions connected with science, in aid of the sum already contributed thereto by the Commissioners for the Exhibition of 1851."

Lord SEYMOUR said, he believed that the people of this country had been imagining that they were superior to those of all other countries in manufacturing art;

but as they had lately had the advantage of collecting the productions of art and the manufactures of other nations, he doubted not they had seen that, unless they took care, they would soon be left behind in the race. He fully admitted, therefore, that it was most important that something should be done for promoting the industrial education of the people, and he thought so far they ought to be grateful to the Commissioners for their generous gift, and also for the plan they had sketched out; but that plan would require a great deal of consideration before it could be entirely adopted. One of the main proposals, as he understood, was, that all the scientific institutions, which now spent about 160,000*l.* a year for the maintenance of their different societies, should be brought together on this one spot. Now, the Report of the Commissioners, though it referred to the matter, did not show that these societies were in favour of this plan. He believed, indeed, that the societies themselves strongly objected to being removed to Kensington. They met together for discussion on various scientific subjects, and it would be very inconvenient to them if they were to be carried such a distance from town. If the House undertook this plan on the supposition that it would be supported by the money of the scientific societies, he thought they would find themselves greatly mistaken. As to the commercial museums and repertories of manufactures and art, he thought they would have to be built with public money, for it would be necessary not only to buy the ground, but afterwards to build the museums. The Committee was therefore asked to enter upon a very large undertaking, and he was anxious that they should not be misled upon this subject, but that they should be fully aware of the expense of the scheme. Now, with regard to the ground, no plans or maps had been laid upon the table to show whether it was intersected by any other property, because, if that were the case, and if there were any rights of way, it might be necessary to expend large sums in addition to the purchase-money, in buying those rights. He had asked the other day that a plan might be laid before the House, in order that they might possess information on this subject. Then, if the House of Commons granted the money that was required, in whom was the property to be vested? In the case of all purchases made by Parliament, one of two courses had been followed: either the ground had been purchased as a place of public recreation in the name of the Crown, and managed by a responsible Minister; or, if bought for purposes of public improvement, it had been purchased by Commissioners who, when they had carried out the improvements, sold the ground that was not wanted, and then laid the accounts before Parliament. The House was now asked, however, to pay 150,000*l.* for certain property, and he wished to know in whom it was to be vested, and who were to superintend the erection of buildings? Were the Royal Commissioners to have the sole management, or was it to be confided to a responsible Minister of the Crown? He had no objection to the general scheme if it could be properly carried out, but he thought some information ought to be afforded to the Committee upon the points he had mentioned.

LORD JOHN RUSSELL said, that as one of the Royal Commissioners, he might perhaps be allowed to say a few words upon this subject, though the information he could give would be very imperfect. The further carrying out of this plan must depend very much upon the Government, upon whose aid the Commissioners had relied in order to bring it to the perfection which he hoped it might attain. The Commissioners had been anxious, when they found the large sums in their hands, that some institution should be established which might commemorate the Great Exhibition of 1851. It was thought it would be unwise to allow the benefits of that Exhibition to be merely transitory, and that some attempt should be made to perpetuate the advantages which were derived from it. Nothing appeared more likely to effect that object than an institution for extending the advantages of science and art in the industry of the country. He thought no one could have inspected the Great Exhibition without being convinced of the truth of an observation in one of the Reports of the Commissioners, that in future there would be great and severe competition in the industry of the world, which would assume a more intellectual character. Now that House had been exceedingly willing to vote very large sums for scientific institutions, and more especially for the British Museum. He thought any one who had considered the large sums—he believed, on an average, about 40,000*l.* a year—which had been voted for the British Museum, must be satisfied that many years could not elapse without some decision being come to as to the great variety of objects which it was endeavoured to attain in that institution. They ought certainly to have a great national library in this country, and a great number of books were collected at the Museum; but he could not think that the space now allotted in that building to the numerous articles of science and natural history was likely long to suffice. Now, if they had other buildings upon a sufficient space of ground, room might be found in them for some of those objects to which he referred, and the Museum might be left more entirely for the purpose of a library. These were the general objects which the Commissioners had in view. He believed that if this ground were now to be purchased, and the House should afterwards decide that they would not sanction any further outlay, the same spirit which led to the subscription of such very large sums for promoting the Great Exhibition, would, he had little reason to doubt, prompt the public to find means which would provide for the erection of the requisite buildings. He thought the mechanical inventions and the specimens of manufactures that would be collected, and the chymical lectures that would be given, would be matters of so much interest to those connected with manufactures in all parts of the Kingdom, that they would think it of the greatest importance, that in the metropolis an establishment should be maintained where so much valuable information might be obtained. He knew that the Museum of Practical Geology, which was erected a few years ago, had been the means of affording most valuable information to many persons. He thought it was to be lamented, that hitherto they had not had some great centre of the kind suggested by the Commissioners, and he could not doubt that, though the plan was at present imperfect, the spirit of the nation and the disposition of that House—if the sum now asked for was voted—would lead to the establishment of such an institution. His noble Friend (Lord Seymour) had said he understood that some of the scientific societies would not be willing to go as far as Kensington to their evening meetings. That was very possible with regard to many of these associations, but the Commissioners left the matter quite optional with the societies themselves. Any one who was acquainted with the Treasury knew that frequent applications were made by many of these scientific societies for the use of public buildings in which to hold their meetings; and it had been stated, on behalf of some of them, that they found house-rents so very expensive that they would be obliged to dissolve the societies if their applications were refused. It must be evident that, in such cases, the societies would be very glad to have rooms allotted to them in the proposed buildings, where their meetings might take place. He could not but believe that this was the commencement of a great improvement. He was very glad to find that the Government had taken up the question, and he believed that, under the guidance of the illustrious Prince who was at the head of the Commission, they would be able to render very great services to the country, and materially to promote the progress of science and art.

Mr. HUME said, he had heard the statement of the right hon. Chancellor of the Exchequer with great satisfaction, and he agreed that it was most desirable, that the Government should come forward to aid the energy and public spirit of the people. The House must, however, consider what were to be the results of what they were now asked to do. The noble Lord (Lord Seymour) had inquired who were to have the management of the scheme, and on whom the responsibility would rest? He (Mr. Hume was perfectly satisfied, that under the superintendence of the illustrious Prince who had been alluded to as presiding over the Commission, matters would go on well enough; but the House must look at the future, and he asked them to consider what was the constitution of the Commission. The Crown alone possessed any power over it—that House had nothing to do with it—and before they invested public property in the hands of such a Commission they ought to look, not only to the management of the property, but also to the use which might eventually be made of it. He thought they ought also to consider whether, on the site which was recommended such an institution would afford all the advantages which it ought to afford. He had heard that it was intended to remove the National Gallery to Kensington, where, in his opinion, it would not be visited by one out of the ten persons who now went there. He doubted whether the pictures would not suffer more injury from the removal than they possibly could receive from the impurity of the atmosphere to which they were now subjected.

Mr. H. DRUMMOND: Sir, I entirely agree in what has been said relative to the public advantage to be derived from giving every person in this country an opportunity of advancing himself in literature and science. I have no doubt but that the British Museum is an immense advantage to our people, but I have great doubts whether we are not now about to embark in a very crude speculation—a foolish attempt to force the population into a taste for the fine arts which nature has not given them. It sounds very liberal and noble to desire the education and progress of the national mind in those pursuits in which other nations excel; but I believe that, to endeavour to force this taste upon them, is just as absurd nationally as it would be individually, to attempt to make the same man a sculptor, a painter, a musician, a poet, an orator, a statesman, and a warrior. They all knew that was impossible, for there should be a division of labour in everything. It would be as difficult to make our people like the highest order of painting as to make the Italians like beef-steaks and porter. The late Exhibition has given us a very useful lesson. You never did exceed in the highest department even of manufactures. At no time have we done so. The other day I saw some specimens of working in iron, but even in this at no period were there in England such eminent workers in iron as abroad. I could give instances of the truth of what I am saying from the productions of many countries in Europe. Gentlemen who have travelled abroad know the beautiful ornaments of cathedrals called altar screens. In the northern countries these are made of stone, whilst in Spain, and in the Low Countries, they are always made of iron, and the makers of them are as well known as the eminent painters. In Spain the people will tell you who was the maker of such and such altar screens, just as in Venice they will tell you who was the painter of such and such a picture. They had never attained such a pitch of workmanship in iron in this country. Our cloth manufacture is at this moment inferior to that of other countries, and we are not able to keep up a supply even of patterns of ordinary articles of dress, but are obliged to go to France for them. Are you aware that not one of our great painters ever knew how to draw? Sir Joshua Reynolds never did. Sir Thomas Lawrence, it is notorious, did not know how to draw. I believe it would be exceedingly difficult to find any man in this country who could execute what is a common every-day work with French and Italians—namely, an outline drawing of a great painting; yet you are now going to try to force a taste on our people. If you want to learn the success of our artists, you have only to walk into our lobbies and look at our frescoes—you can there regale yourselves with specimens of English art. You are going to pay a very large sum of money for land; has the right hon. Gentleman the Chancellor of the Exchequer stated what he is going to do with the land when he gets it? If you are going to build upon it, let me ask where you will be able to find an architect? The new Houses of Parliament were to have been built for 700,000*l.*; we have expended 2,500,000*l.* upon them, and this room, which is, or ought to be, the room *par excellence*—that room where the business of the nation is transacted—is not sufficient to hold us. First, it was impossible for us to hear one another; then we were alternately baked by heat and frozen by cold; we had either too much light or too little, and yet with all this experience of our architectural skill, we are about to embark in a wild scheme. I admit that in painting landscape scenery we excel all Europe, but in the fine arts generally we realise the old lines—

> " That which with them is always *goût,*
> With us is only gout."

Mr. EWART said, he should support the proposal, which was the purchase of a piece of land, and if the Committee did not afterwards wish to use it, he had no doubt the land would fetch the price which they were now about to give for it. He was, however, at issue with the hon. Member for West Surrey (Mr. Drummond) upon the question as to the taste of the English people for the fine arts. He contended that it was almost disgraceful to humanity that any nation, even blacks, should be devoid of taste for those great works, or with proper education unable to arrive at some degree of perfection in them. The plan of the Royal Commissioners was undoubtedly creditable in its conception, and would be energetically and successfully carried out.

Mr. CRAVEN BERKELEY expressed a hope that the right hon. Chancellor of the Exchequer would use his powerful influence to prevent the spoliation of the splendid works of art now going on in the National Gallery.

Mr. SPOONER said, he could not consent to give his vote until he knew to whom the land would be conveyed, who would have the control of the land, and for what purposes the land would be employed when they had purchased it. They were told the new National Gallery was to be erected on it, but he submitted there would be some question of the expediency of removing the National Gallery so far from the metropolis.

The CHANCELLOR of the EXCHEQUER said, the proposition before the Committee was not to build any new National Gallery, or to raise any other edifice whatever. The proposition before the Committee was whether they should contribute an equal sum with that already voted by the Royal Commissioners for the purchase of some land, which was the only plot of land which, he believed, ever could be purchased in the immediate vicinity of this metropolis. Hereafter, if it should be submitted to that House that it was a convenient site, among other things, for the National Gallery, which must be removed somewhere or other, for at present there was not a single place where works of art could be deposited in safety, it would be for the House fairly to consider that question, and it would be entirely under their control. All he wished the Committee now to do was to agree to vote this sum of 150,000*l.*, which he desired to see under the control of a Minister of the Crown, according to the language used in the Commissioners' Report. He had never proposed that the Committee should vote a sum of money to be applied out of the control of a Minister of the Crown responsible to that House. They had heard some observations of hon. Members on the locality. It was the locality to which not only the population of this metropolis but the whole population of the United Kingdom resorted not two years ago, and he could not but believe that if the inducement were equal, the locality would be found convenient. The hon. Member for West Surrey (Mr. Drummond) seemed to imagine this was an attempt to force a feeling for fine pictures among the general community; when the fact was, the reference to the National pictures was a very subordinate portion of the Commissioners' Report. The scheme they recommended was neither more nor less than to give an industrial education to the people, and to bring the influence of science, especially, and of art, upon their manufacturing production. No attempt would be made to infuse a *dilettante* spirit into the working classes, but an opportunity would be given them of fitting themselves for competing with their rivals throughout the world. It was impossible to conceive a plan more practical, more important, or more urgent as regarded the interests of the country. This land was, in fact, virtually purchased, because the Commissioners had entered upon a contract for its purchase with the confident expectation that Parliament and the country would assist them. When the purchase was fully completed, all further plans must receive the consideration of that House, and he was sure that House would not consent to raising any buildings, or any expenditure, without a very rigid scrutiny into all the arrangements, and taking care that the whole talent of the country should be brought into public competition. He hoped the Committee would agree to this Vote. By doing so they would not agree to any expenditure beyond the purchase of valuable property, which hereafter might be dealt with with as Parliament should think fit.

Mr. VERNON SMITH said, he thought that the right hon. Chancellor of the Exchequer had not replied to the objection of his (Mr. V. Smith's) noble Friend (Lord Seymour. He thought the right hon. Gentleman should give an answer to the question that had been put by the noble Lord the Member for Totnes (Lord Seymour), whether it was proposed to raise buildings at the public expense upon the ground that had been purchased, and whether the ground was to be under the control of the Commissioners or of a Minister of the Crown.

Mr. EWART said, he thought the exact state of the case did not seem to be quite understood by some hon. Members. From the results of the Great Exhibition there remained 175,000*l.*; with the fund the Commissioners bought seventy acres of land, and they offered it to the nation on condition that seventy acres more were added to it.

Lord SEYMOUR said, they had not yet heard what was the quantity of ground to be purchased, or what portion was to be made over to the public.

Mr. CLAY said, he wished to know if a conditional contract had been entered into for all the land, because it was reported that the owner of a small portion of the land, four acres only, asked 70,000*l.* for it, and said nothing should induce him to take a farthing less.

The CHANCELLOR of the EXCHEQUER said, that offer had been treated with the contempt it deserved. There was no conditional agreement whatever. Seventy acres had been purchased by the surplus of the Exhibition, and the Commissioners offered to give the whole of their purchase to the public, provided the nation would assist them in the object they had in view. There could be no difficulty in making arrangements satisfactory to the House for its control and mangement, but he wished it to be distinctly understood that the whole of the land purchased would be given to the public.

Mr. HUME said, he was satisfied with the assurance that the land should be under the control of a Minister of the Crown, but hoped the Vote would be postponed until the plan of the property was before the Committee.

The CHANCELLOR of the EXCHEQUER said, it would be very convenient if the Committee would now dispose of the Vote. The country would understand they were paying 150,000*l.* and receiving property worth 300,000*l.*

Mr. MONTAGUE CHAMBERS said, he was at a loss to know whether they were contributing to the purchase of seventy or one hundred and forty acres. He intended to vote against the proposition, because he knew not what was to be done with the money. He was exceedingly desirous that the Committee should know the purpose to which the land would be devoted, whether it was proposed to erect a building on it, or whether it was proposed to use the land for nothing. He apprehended this was only the commencement of claims for larger sums for the erection of buildings upon this piece of land. He would not concur in any vote where information was not given of the appropriation of the money.

Sir JOHN YOUNG said, he believed the Committee would unanimously agree to the Vote, if a plan of the ground were laid upon the table. He hoped a plan would be laid on the table before the money was paid out of the Exchequer.

Mr. LOCKE said, he could not sit still when he heard it stated that the Committee was almost unanimous upon the Vote about to be given. He had a strong opinion, which induced him to enter his protest against this Vote. But this was not on account of the various arguments that had been used that night. He did not agree in the low estimate that had been formed of the character of Englishmen by some hon. Gentlemen opposite, nor that the perfection of mechanical skill was due to the Govermental schools. He had a great faith in the individual energy of the country, and if they established central schools, they would lessen the individual exertion which had been the mainstay of the mechanical industry of the country. He had no objection to grants of money for buildings for the exhibition of our excellent works of art; but if it were intended to introduce central schools by which degrees were to be established, so that individuals out of the pale of these schools might be marked (he alluded to the centralising system in France, where the *Ecole Polytechnique* had been established, out of which there was no opportunity for any individual, however great his merit), he felt bound to raise his voice the moment the question was introduced. It might be said, that this was only the first Vote; but this first Vote might introduce other Votes which would produce the consequences he dreaded. He would not be a party even to the first step in this direction.

Mr. COWAN hoped the right hon. the Chancellor of the Exchequer would postpone the Vote, as the Committee evidently was not in a position to consent to it.

Mr. HUME said, the right hon. Gentleman the Chancellor of the Exchequer ought to make some answer to the statement that had been made by the hon. Gentleman (Mr. Locke). If anything like the system that prevailed in France were to be the result of this Vote, he thought there was great danger in agreeing to it without further information.

The CHANCELLOR of the EXCHEQUER said, that hon. Gentleman (Mr. Locke) had made a startling assertion, for which there was not the slightest foundation, to raise an argument against this Vote. He could assure the hon. Gentleman he (the Chancellor of the Exchequer) had heard, for the first time, the statement respecting this scheme, and he could say with perfect confidence that it was an assertion for which there was not the slightest imaginable foundation.

Vote *agreed to.*

SUPPLY—FUNERAL OF THE DUKE OF WELLINGTON.

(11.) 80,000*l.* for defraying the charge of the Funeral of the late Duke of Wellington.

Mr. HUME said, he thought that before this money was voted there ought to be an account rendered, if not a Committee to inquire respecting alleged mismanagement in regard to some of the items, if report was true.

Mr. G. A. HAMILTON said, that it had been already explained by the right hon. Gentleman the Chancellor of the Exchequer, that it was desirable to close the accounts as early as possible. He could assure the hon. Member for Montrose (Mr. Hume) that immediately after the Funeral took place, means were taken to collect the various accounts, and he held in his hand an abstract of those accounts so far as he had been able to obtain them. The principal items were as follows: The accounts in the Department of Public Works, including all that was done in the Cathedral, amounted to 25,000*l.*; the Lord Chamberlain's and Earl Marshal's were not fully rendered yet, but were estimated at 33,000*l.*; the expenses connected with the removal of the troops were 8,500*l.*; and there were expenses connected with their lodging, which might make the amount something more. The accounts received at present exceeded 70,000*l.*, but he believed the whole expenses would not be 80,000*l.* All care should be taken to exercise the most rigid and stern economy in the settlement of the accounts, and as soon as they had been got in and examined a statement should be laid before the House.

Lord DUDLEY STUART said, that he thought this a very unsatisfactory mode of proceeding. A gentleman in private life would not act thus; and hon. Members must expect to be told by their constituents that they were not doing their duty. ["Oh, oh!"] No doubt it was a very invidious thing to make any objection, however slight, to this Vote, and in some degree he rejoiced at that, because it showed the universal desire to do honour to the memory of the illustrious hero whom we had lost; and, for himself, he was second to none in veneration of a man whom he looked upon as the greatest man this country had ever produced. It would, however, have been more respectful to the people, more decent, and more constitutional, to put off asking for the money till the Government had their estimate ready. With respect to the sum, he was not prepared to say that it was excessive; but 80,000*l.* appeared a large sum; he would not say it was not justifiable, and he should be disposed to act liberally on such an occasion. When it was stated that the funeral of Nelson cost 14,000*l.*, he could not avoid calling attention to the wide difference between the sums. He did not know whether in the expenses of the Lord Chamberlain were included the charges on account of those foreign officers who had attended; and information was also wanted as to whether the 80,000*l.* included all the charges which might be made. It was with great pain that he reverted to a circumstance connected with the funeral, which he thought it his duty, as a Member of Parliament, to take that opportunity of mentioning. He believed that the arrangements at the funeral were such as to command general approbation, and that to all it was a source of honourable delight to see a great man's life, which had carried with it the admiration of the country and of the world, closed by a magnificent and spontaneous effusion of popular feeling which did credit to all concerned. The arrangements of the day were most excellent; but there was an arrangement which was of another character; and it was a deplorable fact, that an accident occurred a few days before, when the people of the metropolis and of the whole country were paying their testimony of respect to the late Duke of Wellington by going to see him lie in state at Chelsea Hospital. [*Cries of* "Oh!"] He heard expressions of surprise. Was it a matter for surprise that one should allude to an occurrence which cost the lives of at least three of his fellow creatures? It was but just to say that those lives might have been preserved had greater precautions been taken and better arrangements made by those who had the responsibility on that occasion? He did not wish to say more than that he regretted the success of everything connected with the solemnity should have been marred by that most deplorable event to which he had alluded.

Lord JOHN MANNERS said, he was responsible for a certain share of the Vote to which the noble Lord objected; and as he was one of those who gave his right hon. Friend the Chancellor of the Exchequer to understand that it was impossible to place before the House of Commons any reliable estimate before the funeral took place, he thought it right to say a few words in answer to the noble Lord's observations. He could assure the noble Lord and the Committee that from the moment when he heard that the funeral was to take place, he was most anxious that estimates should be prepared; but he found on inquiry that, owing to the limited time given for making such great preparations, the novel nature of the service required, and the changes which were taking place from day to day, it was impossible to arrive at any estimate on which reliance could be placed; and he thought it far better to give no estimate at all than one which might afterwards lead to disappointment. As far as his department was concerned, the heads of all the expenditure had, he believed, been collected, and hon. Members would have an opportunity of testing the accuracy of the accounts. Every person in his department had toiled most assiduously and honestly, not only, he believed, with the view of carrying out the arrangements effectively, but also with a desire that everything should be done as economically as was consistent with the solemnity of the occasion.

Mr. HUME said, he wished to remind the Committee of a very good rule which had been hitherto observed, that when a Minister undertook expenditure, he always laid an estimate on the table, and assumed the responsibility; but when an estimate could not be supplied, no money was paid till an account was produced. Why not wait in the present instance till all the accounts were collected?

Mr. S. CARTER rose to address the Committee, but was received with loud cries of "Oh, oh!" from the Ministerial benches.

Mr. HUME said, he commended the hon. Member for Tavistock (Mr. S. Carter) as having, on a former occasion, done his duty. He (Mr. Hume) considered that the Committee were acting in the most disorderly manner. If the Government would not keep their followers in better order, and the Chairman could not obtain that order which was necessary to let the hon. Gentleman speak, business could not be proceeded with. He (Mr. Hume) should, therefore, propose that the Chairman should report progress, and ask leave to sit again.

Mr. HUDSON said, he regretted that the hon. Member for Montrose should have been the party who moved that progress be reported. It was his wish that this Vote should have been passed unanimously and without observation, expressing the conviction that, whatever the sum bestowed on the solemnity, it would not be grudged after the satisfaction which had been afforded to every Englishman who beheld the scene. The hon. Member for Montrose would have acted more in accordance with the universal feeling of the country had he agreed to pass the Vote, and concurred in the opinion that Parliament and the country had not paid too much for witnessing an exhibition of feeling of which any Englishman might be proud.

Mr. S. CARTER again rose to address the House. He said he was entitled to a hearing, and he was determined to exercise his privilege. [*Loud cries of* "Divide, divide!"] They could not put him down by uproar—he was of a different kind of metal. The question before them was, whether they should vote away 80,000*l.* of the public money? The sum was greatly too much. And he complained of it as a breach of public faith. Hon. Gentlemen on that side of the House did not intend to give their sanction to the expenditure of an unlimited sum; but only that a sum should be expended bearing some relation to precedents of cases before the House. Now, he was making a serious charge, and he had a right to state his grounds for doing so. Really it was only by the grace and favour of Government that they were not voting more. The Government had had all they had asked for granted them almost without a word, and he was really much obliged to them for not asking 10,000 men and 160,000*l.* This Vote was five times that required for the funeral of the great Lord Nelson. He called that unjust, and a fraud upon the confidence of Members on that side of the House. What was the good of precedents if they were to multiply them by five? It had been said that this was a Vote that could never occur again. That was as good as saying that they would never have a great man in future. Well, perhaps, that was true, and the people would be too wise to spend their money on the splendour of war. If, however, they should be unfortunate enough to have a great man again, or another great funeral, they would have Government multiplying this precedent by five, and asking for 400,000*l.*

Colonel SIBTHORP said, he had one remark to make relative to the hon. Gentleman who had just sat down. He had heard little or nothing of what fell from him, but he did hear the word "metal" escape from him. Now, from the specimen they had had of the hon. Gentleman, he thought they were likely to find a great deal of "dross" in him. Sure he was that, whatever circulation might take place of the hon. Gentleman's metal, it would never be circulated through the United Kingdom. From all that he (Col.

Sibthorp) had witnessed, heard, and read, he did not believe there was a poor man or a poor woman in the country who would not willingly give their mite to testify their veneration for the memory of one of the greatest men who ever lived.

LORD DUDLEY STUART said, he wished to repeat the question he had previously put as to whether the estimate of 80,000*l.* included the expenses of the foreign officers of distinction?

MR. G. A. HAMILTON said, he believed that the sum in question would more than cover every possible expense of the funeral.

Vote *agreed to.*

House resumed.

TENANT COMPENSATION (IRELAND) BILL.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be read a Second Time upon Monday next."

MR. KEOGH said, he begged to ask the right hon. and learned Attorney General for Ireland what was the course he intended to pursue with respect to the several Bills he had introduced? He hoped an opportunity would be given for discussing them. With respect to two of the Bills, he considered them to be of the most objectionable nature. He begged to say, that one Bill for which the right hon. and learned Gentleman had taken the most credit to himself, was one which not fifty Members of that House could think of sanctioning—no, not a single line of it. [*Laughter.*] This might appear to be a strong observation, but he challenged the right hon. and learned Gentleman to disprove it. In fact, the provisions of the Bill were rank nonsense. Instead of postponing the Bills, he called upon the right hon. and learned Gentleman to bring them forward. He knew that the right hon. and learned Gentleman was anxious to postpone them, and that he had been negotiating to postpone them, but they were anxious to test the sincerity of the right hon. and learned Gentleman, and therefore they asked for an early opportunity to discuss them.

MR. NAPIER said, if the hon. and learned Gentleman really entertained the objection he now stated to the Bills before the House, he ought to have given notice of his intention to move that they should be read that day six months. He understood that to three of the Bills there could be no possible objection; and with regard to the fourth Bill, it having already passed the House three successive Sessions, he could not have imagined that it would have been opposed now. When he introduced the Bills he said he would leave them over till after the recess, and would be glad to receive from any quarter any honest amendments. As far as he was concerned, he was prepared to discuss them tomorrow.

MR. HUME said, he must call upon the right hon. and learned Gentleman to withdraw the expression "any honest amendments." It was a mode of expression which ought not to be addressed towards any hon. Member of that House.

VISCOUNT MONCK said, that he thought it was the interest of the landlords to give the tenants such an interest in the land as would induce them to invest their capital in it. [*Cries of* "Question!"]

AN HON. MEMBER submitted that there was no question before the House.

MR. SPEAKER said, that the question before the House was, that the Bill be postponed till Monday.

VISCOUNT MONCK said, he did not mean to offer any captious objection to the Bill; but when he heard the right hon. and learned Gentleman the Attorney General for Ireland describe the grievances that arise from the right of distress for rent, he was not prepared for the conclusion he had come to. He (Viscount Monck) was prepared to hear him say that having given great facilities to the landlord to recover his rent and possession of his land, he would abolish that incident to the feudal tenures, the right of distress for rent. He was very anxious that an early day should be fixed for the discussion of those Bills; and as Thursday was unoccupied by any other business, perhaps the right hon. and learned Gentleman would not object to fixing that day.

MR. JOHN SADLEIR said, he thought the right hon. and learned Gentleman could have no difficulty in perceiving that it was the intention of the Members for Ireland to give an honest opposition to these Bills. He (Mr. Sadleir) did not approve of their being sent to Ireland without previous discussion in the House of Commons; for that was alone the means of enabling the people of that country to understand them. He hoped, therefore, that Thursday next would be fixed for the Bills being brought forward.

SIR JOHN YOUNG said, he was inclined to approve generally of the Bills, with the exception of the proposition to continue the law of distress, which, after the statement of the right hon. and learned Gentleman, he thought should be abolished altogether. But he must say that he could not award equal praise to the measure regarding compensations for improvements. He represented a county in which Mr. Sharman Crawford's Bill was made the point of contest, and he had opposed that Bill; but on the other hand, he was prepared to say that the landlords of the county were prepared for greater concessions than were proposed by the right hon. and learned Gentleman. He thought the measure should be discussed at the earliest possible period, because the question connected with land was one of intense interest in Ireland; and if there was one class in Ireland more than another whose interest it was to have a speedy arrangement of the question, that class was the landlord class. He trusted that the right hon. and learned Gentleman would not remit the Bills to a Select Committee, for if he did they would be lost.

The CHANCELLOR OF THE EXCHEQUER said, he thought there was no chance, if the Bills were fixed for Thursday, that they could be got through on that day, and then the discussion on the Budget was appointed for Friday, which he did not think was likely to be terminated on that day. On Thursday, too, there was a subject of considerable importance, the Motion of the hon. Member for Westbury (Mr. J. Wilson), was appointed for discussion, which had an intimate relation to the financial statement of Friday last. With respect to the Bills themselves, he was confident that the more they were known, the more they would be appreciated. He did not think if they were brought forward on Thursday they could be fully discussed; therefore he would recommend his right hon. and learned Friend not to move any further with the Bills until after the recess.

Mr. GLADSTONE said, he had not heard why to-morrow should not be taken for the discussion. It was important that measures relating to Ireland should be approached by the House in a temperate and friendly spirit. Under all the circumstances, he thought these Bills should not be postponed till after the recess.

Mr. G. H. MOORE said, he was quite prepared to meet the discussion of these Bills in a calm and temperate spirit, and he hoped the right hon. and learned Gentleman would give them an opportunity of doing so.

Mr. WHITESIDE said, he wished to make some observations on the remarks of the hon. and learned Member for Athlone (Mr. Keogh), who had pronounced these Bills to be all nonsense.

Mr. KEOGH said, he had pronounced thus unfavourably of only one of the measures, and with reference to which Bill he adhered to every word that he had said.

Mr. WHITESIDE said, he was not at all surprised at the hon. and learned Gentleman adhering to a criticism of which he thought he ought to be proud. It was the privilege of genius to exhibit itself in declamation, and leave the work of patient legislation to inferior minds. The hon. and learned Member had spoken most severely of the measure, and the hon. Member for Carlow (Mr. Sadleir) said that the House of Commons is the place for the discussion of this question; but if he (Mr. Whiteside) was to believe the hon. Member, a public discussion and decision had taken place elsewhere. Hon. Members were prepared to come to a discussion after deciding the question in another place. They undertook to speak the sentiments of the people of Ireland; but he (Mr. Whiteside) was sure that it was of a portion only, for those hon. Members who sat around himself and his friends were the representatives of a large portion of the Irish people, and were in no way inferior to those opposite. In submitting this Bill to the consideration of the House, he felt conscious that it possessed many defects; but however defective it might be, either in matter or style, or however defective it might be for the amendment of those evils which existed, he felt sure that the justice and wisdom of the House would discuss it in calmness, and improve all the defects it contained.

Mr. J. BALL said, he left to Her Majesty's Ministers the boast of discussing these Bills in calmness, but he thought the proof, so far as they had gone, was not shown. He hoped, however, that measures of so much importance would have all the calmness and moderation which the subject deserved. He desired to press most earnestly upon the mind of the right hon. and learned Attorney General for Ireland the great importance of these Bills. The subject was one upon which honest men might differ in opinion; but he thought a fair and temperate discussion would bring them to be of one mind. The people of Ireland were waiting for the decision of that House. The Commission appointed seven years ago reported that the measures were of the utmost importance to tenants' improvements. They had waited all that time for something to be done, and a deep-rooted dissatisfaction existed in many parts of the country. The decision of the House, he hoped, would be speedily taken and prove satisfactory to the inhabitants of the sister island.

The CHANCELLOR OF THE EXCHEQUER said, he could not secure the Bills coming on to-morrow, that not being a Government day; all they could do was to put them on the paper for that day, and take the change of being able to bring them on.

Motion, by leave, *withdrawn.*

Bill to be read 2° *To-morrow.*

NEWSPAPER STAMP DUTIES.

The ATTORNEY GENERAL said, that, in moving for leave to bring in a Bill to amend the law relating to the Stamp Duties upon Newspapers, he would not detain the House at any length. By the 6 & 7 *Will.* 4, chap. 76, which was the Act imposing a duty on newspapers, a definition was given of what should be considered a newspaper within the meaning of the Act, and it was as follows:—

> "Any paper containing public news, intelligence, or occurrences printed in any part of the United Kingdom to be dispersed and made public; also any paper printed in any part of the United Kingdom weekly or oftener, or at intervals not exceeding twenty-six days, containing only or principally advertisements; and also any paper containing any public news, intelligence, or occurrences, or any remarks or observations thereon, printed in any part of the United Kingdom for sale, and published periodically, or in parts, or numbers, at intervals not exceeding twenty-six days between the publication of any two such papers, parts, or numbers, where any of the said papers, parts, or numbers respectively shall not exceed two sheets of the dimensions hereinafter specified (exclusive of any cover or blank leaf, or any other leaf upon which any advertisement or other notice shall be printed), or shall be published for sale for a less sum than 6*d.*, exclusive of the duty by this Act imposed thereon."

Now, a paper called the *Household Narrative of Current Events* had been published by Messrs. Bradbury and Evans, and it was the opinion of the Stamp Office that that paper, although published at intervals of more than twenty-six days, was liable to stamp duty, and, accordingly, an information was filed against the publishers to recover the penalties incurred, the object being to decide whether the publication was liable to stamp duty or not. An argument took place in the Exchequer, and the result was, that three of the four Judges were of opinion that the paper was not liable to duty, but the fourth, Mr. Baron Parke, was of opinion that it was liable. The difference of the opinion of the Judges turned entirely on the question whether the definitions he (the Attorney General had read, were separate and distinct definitions, or whether the third definition was a qualification of the former. The three Judges thought it was a qualification of the former; but Mr. Baron Parke considered it a separate definition. The argument took place before the present Government came into office, and when he (the Attorney General) became Attorney General he found the law officers of the former Government were of opinion that the decision of the Exchequer was not satisfactory, and that it was necessary to take the opinion of a higher Court of appeal. He certainly should have agreed in the course taken by his predecessors, and, finding their opinion so expressed, an appeal to the Court of Exchequer Chamber was determined on. The House would recollect that great anxiety was manifested as to those proceedings in the Exchequer, and the course that would be adopted by the Government; and questions had been put to him with very great courtesy by hon. Gentlemen on the other side, and he had explained to them as well as he could the state of the question. However, his right hon. Friend the Chancellor of the Exchequer thought it was right to adhere to the opinion expressed by the majority of the Court of Exchequer, and was extremely desirous, for the sake of literature, and to prevent the litigation likely to occur, that a measure should be introduced that should support that opinion. It was under these circumstances that he asked leave now to introduce a Bill to repeal that portion of the schedule to which he had called attention, and upon which the doubt rested, and give a substantive definition of a newspaper, which would exclude from the operation of the stamp duty the publication in question and other publications of a like nature, containing news, but not published at intervals of less than twenty-six days. He hoped hon. Gentlemen would not think it necessary to avail themselves of the opportunity of the introduction of this Bill for entering into any discussion of that very wide question, "taxes on knowledge," as they termed it, which could only have the effect of impeding a measure the object of which was to put a stop to litigation; but that they would consent as rapidly as possible to allow the Bill to pass into a law.

Mr. MILNER GIBSON said, that he had no wish to enter into the general question, but he wished to advert to a point of form. The hon. and learned Attory General said that he was going to introduce a Bill to declare what a newspaper was in such a way as to exclude from the operation of the present Newspaper Stamp Act certain monthly publications. He (Mr. Gibson) thought, however, that the definition which the hon. and learned Gentleman had given would extend the operation of the Stamp Act to publications which were not now liable to duty; and if that were so, he presumed that the House should resolve itself into a Committee upon the Newspaper Stamp Laws before the Bill was introduced. He thought that the proposed Bill would extend the operation of the Stamp Act, because, from the hon. and learned Attorney General's remarks, it appeared that no papers were for the future to be considered newspapers which were published at a longer interval than once in twenty-six days, but that all papers published at less intervals than twenty-six days were to be considered newspapers. At present all papers of more than two sheets, and at a higher price than 6*d.*, might be published more frequently than once in twenty-six days, without being liable to Stamp Duty. These, however, would be brought under the operation of the Stamp Act by the new definition given by the hon. and learned Attorney General, and therefore he thought that the introduction of the Bill should be preceded by a Committee of the whole House. Great injustice had been done to small newspaper proprietors throughout the country whose monthly papers had been suppressed by letters from the Inland Revenue Office. When, however, they proceeded against Mr. Dickens, a gentleman of great influence and popularity, they were frightened out of their proceedings, and brought in a Bill to declare that these publications never had been newspapers. What compensation did they intend to offer to those persons whose papers had been suppressed on the ground that they were newspapers? He was convinced that when the new Bill came to be discussed it would appear that the new definition of a newspaper was just as unsound as the old one; and, if under it they prosecuted persons for publishing unstamped papers, they would again be obliged to introduce a new declaratory Bill. In a future stage of the Bill he should feel it his duty to point out how completely inadequate this Bill would be to define what was a newspaper. In conclusion, he begged to ask the opinion of Mr. Speaker upon the point of form to which he had alluded?

Mr. SPEAKER said, that no doubt, if the effect of the Bill was to impose an additional Stamp Duty, it should be introduced by a Committee of the whole House; it was, however, impossible for him to say whether this would be its effect until it was introduced, and he had an opportunity of examining it.

Mr. MILNER GIBSON would suggest whether it would not be better for the hon. and learned Attorney General to keep himself on the safe side, and to move the Bill in a Committee of the whole House?

The ATTORNEY GENERAL said, that in his opinion, the Bill would not bring within the definition of newspapers publications not now liable to the Stamp Duties. He would, therefore, take his chance, and beg leave to introduce the Bill then.

Leave *given.*

Bill *ordered* to be brought in by Mr. Attorney General and Mr. Solicitor General.

RAILWAY AMALGAMATION—RAILWAY AND CANAL BILLS.

Mr. HENLEY, in rising to move the appointment of a Select Committee on the subject of Railway Amalgamation, as applied to Railway and Canal Bills about to be brought under the consideration of Parliament, said he hoped the House would allow him to make a few remarks, and at that late hour he would promise that they should be but few. The House was aware that at the present moment public notice had been given of a considerable number of Railway Bills that were to be brought before them in the course of the Session —he believed to the number of 150 or 160—and amongst that number there were some twenty of what were called Amalgamation Bills; and of that twenty, some of them were of a nature so large, that the House had, perhaps, never had to deal with Bills of such magnitude. It was hardly necessary for him to call the attention of the House to the vast magnitude and importance of this subject, because it must be fully apparent to every one who considered the matter, that if all these amalgamations, or any of them, went on, they would be laying the foundation for a state of things which, at no very distant period, might bring the House to consider whether or not the whole locomotion of the Kingdom should be allowed to pass into the hands of one management. For instance, some of the Bills related to groups of the same country, and if these groups were allowed to be united, what was there to prevent these groups afterwards joining again, and so proceeding on from step to step until you came to have all the railways converted into one great concern? Now, in considering this matter, the first practical question they had to turn their attention to was, what was to become of these Bills when they should be sent by the ordinary process of the House into those various Select Committees whose duty it would be to examine into their merits? He thought all parties would agree with him that it would be hardly safe to refer each Bill to five Gentlemen, without, in the first place, if it was possible, establishing some general views which they should be required to take of the whole subject. It should first be ascertained whether it was possible that any general rules or practical regulations could be laid down, either in the shape of Standing Orders or otherwise, by which the attention of these several Committees might be drawn to the particular portion of each Bill, and upon which they should be required, or not, according as it might be determined, to expresss an opinion or to call the attention of the House to each particular point as it might arise in detail. Of course, if the House agreed to appoint such a Committee as he recommended, the first matter for them to consider and determine upon was the preliminary question of whether these large amalgamations should be sanctioned or not. Of course, it would naturally occur to hon. Members what power the railways had of effecting these amalgamations by arrangements concluded without reference to that House, and it would be a question for them to consider whether such an arrangement, over which they had no control, might not press much more severely upon the public than if they were made under the sanction and upon the conditions laid down by Parliament. Suppose it should be considered prudent not to negative amalgamation, but to place them under sound regulations, the course of inquiry would naturally branch into three or four distinct heads. The first consideration would have relation to the parties who sought the amalgamation, and what conditions should be imposed upon them to protect their several interests, because many of those companies who proposed to amalgamate stood upon a by no means simple foundation, and before the amalgamation was allowed to take place they ought to be required to consolidate their laws, so that when all the parties came to be married, they should have a better chance of knowing what their respective interests would be, and how they would be affected by amalgamation. Another class of parties whose interests would have to be considered were the lessors of some of our great trunk lines of railway—a by no means insignificant or unimportant body. There were reversionary interests in these lessors which may or may not be injured by amalgamation. But Parliament should take care that their interests were properly looked after. A third class at present under the Standing Orders of the House had no *locus standi* before the Select Committees; he alluded to those parties who had an indirect interest in the questions of amalgamation, such as canals and competing lines running parallel with the railways proposed to be amalgamated and created into a monopoly. Care ought to be taken that those parties were properly represented in the inquiry, and had their interests fairly dealt with. Passing then from them, we come to those parties who were said to be more immediately concerned in this matter. He came to the larger and more important question of how the public interest was to be guarded against any injuries that were likely to result from these amalgamations. Now of course in this branch of the matter the first point that struck one was what measures should be taken, or what were the proper regulations to be laid down to secure ample and legitimate accommodation for the public from those railways that proposed to amalgamate. It should be provided distinctly that none of such railways, or any portion of them, should be shut up against the public, or kept only for private use. What information it would be necessary for each Committee to be furnished with, on this branch of the subject, and what returns the House should require such Company to produce, would be one of the most important points upon which this preliminary Committee would have to report. The next question was with regard to tolls and fares. He should state that at the present moment, speaking generally, every railway in the kingdom was running within the maximum fares and tolls allowed by law, and that being so, of course where the parties came to ask for great privileges, it would be the duty of the Legislature to consider what additional terms ought to be secured for the benefit of the public. That question should be carefully looked into by the general Committee, and something should be done to ascertain what provision should be made against the tolls and fares being unfairly raised. And then the Committee would have to decide what course should be taken with reference to the general financial position of each party to the Bill. Another point was as to the general power of regulating railways, and this must also come under the Committee's consideration, who, however, could not judge of it without looking closely, not only into the powers already existing by law, but also into the way in which they had been exercised. As regarded the desirability of any Government control, there was, he thought, no question that any such must be limited to this extent—that you should not in any way relieve the railway bodies of the responsibility of their acts; that you should not carry it to such a point as to run any risk of an interference which, under any pretence whatever, could be thought to relieve the railway bodies of their responsibilities in carrying on their affairs. At present no public body possessed sufficient authority to protect the public against any possible inconvenience that might arise from the creation in these concerns of a greater system of monopoly—he did not use the term invidiously—or through a closer system of management becoming the law of the land. He was bound to admit that, on the whole, railway management had shown no disposition to exceed their powers, or unjustly to use them against the public; on the contrary, they carried them on in a manner which had secured the general advantage and benefit of the public; but still, without interfering with the responsibility which attached to each, he repeated that something was necessary to be done, to enable the Government to exercise a further control over the amalgamated railways, in the event of the public interest rendering it necessary. He had now stated the general views of the Government with regard to the appointment of this Committee; but there was another point which he had been requested to refer to. He had been asked to add the words, "And to consider the principles which ought to guide the House in Railway Bills and Amalgamations generally," to the Resolution; and certainly, so far as he himself was concerned, he could see no objection to the introduction of such words. Before he sat down, he must take the liberty of referring to one subject in connexion with railways upon which the public mind appeared to have been very much misinformed. It referred to the subject of accidents that occurred upon railways. There had been a general misapprehension abroad of late as to the number of accidents which had taken place this year. It was supposed that they had greatly increased; but certainly that was not the case. The different railway companies, according to law, were required to make a return to the Board of Trade of all accidents where any serious injury occurred to any person. No doubt the Returns did not comprise every accident that happened, because the term "serious injury" was a somewhat indefinite phrase, and there might be injuries which one man might call serious, while another would not. It was very possible, too, that railway parties viewed a serious injury through a different medium to other people; but he had no reason whatever to think that the railway authorities had looked at the cases this year in any different light than that which had guided them in former years, and therefore as far as a comparison went, the returns this year were probably sufficiently accurate. He found then that the number of accidents during the last three years arising from causes beyond the control of the parties injured, such as the engine running off the line, were in 1850, 117; in 1851, 122; and in 1852, up to the 30th of November, 104; so that railway accidents had certainly not increased, but had rather diminished. There was at the same time a very great increase in that particular species of traffic, out of which there was strong reason to think some of these accidents arose, namely, excursion trains. In 1850 there were 334 excursion trains run, while in 1852, dating only up to the 30th September, the number rose to 671. He had thought it right to make this latter statement to the House, because, as he had before observed, considerable misapprehension and very erroneous impressions existed in the public mind on the subject. Without a further statement at that late hour, he should conclude by moving for a Select Committee, for the purposes he had endeavoured to explain to the House.

Motion made, and Question proposed—

> "That a Select Committee be appointed to consider the principle of Amalgamation as applied to Railway, or Railway and Canal Bills, about to be brought under the consideration of Parliament, and to consider the principles which ought to guide the House in Railway Legislation."

Mr. LOCKE begged to express his gratification at the observations of the right hon. Gentleman, with reference to the decrease of railway accidents, which he was sure the public would learn with great satisfaction. He was also gratified at his statement, that the Committee was not to enter on the question of interference with the management of railway boards, for he was convinced that if the Government in any way lessened the responsibilities of the directors, there would not be a likelihood of a still greater decrease of accidents. If he understood the right hon. Gentleman correctly, the Committee was to inquire into the powers of railway companies, and also to inquire how far the powers allowed had been fulfilled. He would put this case:—A company came to Parliament, and asked for powers to complete a railway; these powers it allowed to expire, and after the lapse of a considerable time left the landowners and the country totally without the line they had expected. Such companies there were in Parliament this year, asking for other powers, whilst they had not executed those already granted them. That was a case requiring consideration. But he could instance a still stronger one. A railway company obtained from that House power to execute a railway of given length; after three or four years their funds became deficient; they determined to stop all further proceedings; they appointed a committee; that committee recommended them to go half way, and no further; the shareholders agreed. What, he asked, would be the disposition of Parliament with reference to such a company—a company which, having obtained powers on the supposition that it was to go the whole distance, fancied subsequently that it had a right to make merely a portion of the line? He wanted to know whether a case of that kind would come under the operation of the proposed Committee? If so, he should be satisfied; if not, he must himself press it upon the attention of the House.

Mr. HUDSON said, he hoped that Parliament would not force upon companies the execution of schemes which must involve considerable loss. He trusted that the right hon. Gentleman the President of the Board of Trade would confine his Committee to the principles which he had laid down. They were extensive enough; indeed, he thought, far too extensive. Do not let them go into the question of abandoned railways, and call upon companies to complete worthless schemes. He was rather surprised to find the hon. Member opposite (Mr. Locke) proposing what he did.

Mr. LAING said, he was himself much interested in railways, and he begged to thank the right hon. Gentleman the President of the Board of Trade for this measure, as well as for the terms in which he had spoken of that much-calumniated and rather unpopular class, the railway interest generally. These questions were of that importance that made it desirable they should be investigated and settled as soon as possible, on some sound and intelligible footing. No persons were more anxious than railway directors for this, and he did hope that an effort would now be made to remedy the evils of railway legislation, and settle it on a sounder and better basis for the future. In 1844 a Select Committee was appointed, and the subject was investigated by them with great care. The principles embodied in their report had never been impugned; but those principles were swept away in the vortex of speculation which afterwards took place, and the consequence was, that we had now in round numbers 7,000 miles of railway, which had cost us 36,000*l.* per mile, equal to a sum of 250,000,000*l.* sterling. Look at the cost of railways in other countries—in France, for example—where, the price of iron and materials being higher, you might expect the cost of a railway to be greater even than in England; but it was, in fact, many thousands of pounds a mile less. He believed there was no more certain proposition than that the cost of anything, whether railway travelling, corn, or cotton, would in the long run be regulated by the prime cost of the article. If they, therefore, multiplied lines of railway where one would suffice, they incurred so much the more expense, and in the long run the public would have to pay so much the more for the accommodation afforded. A great source of the complaints now so rife amongst the public arose from the state into which the property of the companies had been brought by legislation and other circumstances; for after so many years' increasing traffic, it would be found, on looking at the share list, that the great of bulk of it was at a discount, or paying very inadequate returns for the capital invested. With regard to the accidents on railways, their number had been much overrated. Looking at the number and speed of the trains and the number of passengers they conveyed, the wonder was not that so many but that so few accidents should have taken place, and that the number should be small when compared either with what took place under the former system of travelling, or on the foreign railroads. The true interests of the public and the companies were, he believed, identical; and if amalgamations were to be carried into effect, it must not be on the ground of advantage resulting to the railway interest, but to the public. The extravagant cost of the railways of this country sufficiently showed the vice of the system under which they had been constructed. We had, as he had previously stated, 7,000 miles of railway, which had cost at an average 36,000*l.* a mile, or 250,000,000*l.* in the whole; whereas the French lines had been constructed at an average of 25,000*l.* a mile, and from 15,000*l.* to 20,000*l.* for the branch lines. If we had the thing to do over again, every one acknowledged that it would be perfectly practicable to construct the railways in this country, at the same cost per mile as in France; and, even allowing 25,000*l.* per mile, the actual cost being 36,000*l.*, it followed that there had been a useless outlay to the amount of something like 70,000,000*l.* of capital all wasted as completely as if it had been thrown into the sea. He doubted not that if our railways had to be made over again, the saving of cost might amount to fully this sum.

Mr. GLADSTONE said, he was very glad that the right hon. Gentleman (Mr. Bankes) proposed to appoint this Committee. It was quite obvious that the subject of railway amalgamation among the great companies deserved every attention. Even if it had not now been proposed to amalgamate those concerns, yet the state into which railway companies without legislative powers of regulation had come, would by this time have deserved the attention of Parliament, and the amalgamation which it was now proposed to effect gave a favourable opportunity of re-opening the whole question. He agreed entirely with what fell from the right hon. Gentleman the President of the Board of Trade, so far as it went; but he could not help hoping that the matter would be carried a little further, and some solution attempted to the great difficulties which had heretofore attended the question of railway legislation. One great effort to solve those difficulties had been made by the Government of Sir Robert Peel in 1844 and 1845, which failed in the face of difficulties that had undoubtedly prevented its being followed up hitherto. At the same time he thought the experience of seven or eight years had produced great regret in the public that it had not been followed up. They had seen enormous evils resulting from the incapacity—he was sorry to use this term, and on no other subject would he consent to use it—or the cowardice of Parliament in dealing with the subject. Parliament had never grappled with its difficulties, and the consequences had been the loss of 70,000,000*l.* of capital, as stated by his hon. Friend who spoke last, the execution of the works in a less perfect style, and a great increase of public dissatisfaction. Not only this, but railway speculation in times of commercial prosperity assumed so extravagant and feverish a character that all parties ran mad with it, and it become one of the great causes of commercial derangement. He was one of those who thought no good was to be effected by the intermeddling of Government departments. The only method to which he looked with hope, as likely to yield advantageous results, and lead to a better system, was the establishment of a community of interests between the railway companies and the public. He hoped Her Majesty's Government would lay down a plan, not merely in reference to details, but embracing the whole question of railways; and he trusted some measure would be established—something like system—to guide Parliament on all future occasions.

Mr. COWAN said, he was convinced that many amalgamations, if properly carried out, would prove of great public advantage. He would suggest that some better means should be taken for procuring the aid of the railways, in providing for the mail service of the country; and he wished to know how Bills about to be applied for in the present Session would be affected by the proposed Committee?

General ANSON said, he was glad that the purview of the Committee was to be so extended as to include every description of case which implied amalgamation, such as leases and arrangements; for he was now satisfied that the inquiry would be as extensive as he could wish it. He was convinced that the system under which we were at present proceeding, was extremely injurious to all those who had invested capital in these concerns.

Mr. MANGLES trusted that the right hon. Gentleman would not rest satisfied with the Report of the Committee, but that he would adopt some final legislation on the subject,

Mr. EVELYN DENISON said, he considered that competition afforded no real security as regarded the conduct of railway companies, and that, if these measures of amalgamation were sanctioned, competition would become a mere dead letter. He hoped the right hon. Gentleman the President of the Board of Trade would propose this Committee as soon as possible, and that it would meet before the recess, so as to arrange their course of proceeding, and to give such intimations as they could to guide the different railway companies

Mr. HENLEY said, it would be for the Committee carefully to consider the question thrown out by the hon. Member for Edinburgh (Mr. Cowan), which he regarded as a most important one. As soon as the question of railway amalgamation should be disposed of, he should endeavour to lay down some definite rules of railway management which should prove satisfactory. He would only observe, with reference to some observations that had been made, that though under the system of this country hitherto railways had cost more money, and we had perhaps had more made than was necessary, we had yet attained to a higher speed than was generally accessible on the Continent. With reference to the Committee, he should wish it to consist as little as possible of Members connected with the railway interest,

Motion *agreed to.*

The House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Tuesday, December 7, 1852.

Minutes.] *Took the Oaths.* — The Lord Clanbrassill.
Public Bill. — 1ª West India Colonies, &c., Loans Act Amendment.
Reported. — Oaths in Chancery, &c.; Bank Notes.

NEW ULSTER AND THE NEW ZEALAND COMPANY.

The **Duke of NEWCASTLE** presented a petition from the inhabitants of the Province of New Ulster, in New Zealand, urging on their Lordships' House the impolicy and injustice of burthening the revenues of the Colony for the losses sustained by the New Zealand Company. He was not going to trouble their Lordships by reading the petition, because it was probable that in some form or other the subject to which it related would again have to be discussed in the course of the present Session of Parliament; for he anticipated that, before long, the legislation of last Session, with reference to the colony of New Zealand, would elicit such remonstrances from the settlers on the subject of the claims of the New Zealand Company as would render it incumbent on their Lordships to raise the question in some shape or other. In New Ulster the New Zealand Company never purchased land at all, and their whole operations were calculated to inflict injury rather than advantage on the colonists.

The **Earl of DESART** said, he rather wished to remove an impression which existed in that House, that the present Government had had anything to do with the legislation of which this petition complained. The real fact was, that the only legislation which had fallen into the hands of the present Government relative to New Zealand was that contained in the important Act of last Session giving a new constitution to that rising colony. When that was under consideration, the Government did not think it a fit time to enter on a consideration of the conflicting interests of associations and colonists, but took all those interests precisely as they found them. They would, they thought, incur a serious responsibility if they failed to confer institutions on the colony which experience showed were likely to prove beneficial.

The **Duke of NEWCASTLE** said, he certainly could not allow the observations which had fallen from the noble Earl opposite to pass altogether unnoticed; because he must remind the noble Earl that not only in the last Session of Parliament, in the other House of Parliament, but on the hustings also, the right hon. Gentleman the Secretary of State for the Colonies (Sir J. Pakington) took the greatest possible credit for the legislation with reference to the constitution of New Zealand; and he (the Duke of Newcastle) thought, if the Government deemed it just at that time to take credit for the constitution they gave to New Zealand, they were not now entitled to wash their hands of that measure, which imposed on the inhabitants of the colony debts to which they were not liable. The Government ought to do one of two things—they ought either to disown the measure, or to take on themselves the whole responsibility of it. And when the noble Earl said the Government found certain conflicting interests, and that they did not think it was right to consider the Colony on the one hand, or the Company on the other, with reference to the claims which they admitted and the claims which they denied, he would remind the noble Earl that this was exactly what they had done, and what he had urged them not to do. This question between the Colony and the New Zealand Company was of a very serious nature, and the argument which he (the Duke of Newcastle) used when the measure for granting a constitution to New Zealand was under discussion, was this: "Do not attempt to legislate upon this question between the Colony and this Company now; wait for further information; do not prejudge the question, and impose a tax upon the people for the liquidation of a debt which they say they are not liable to pay until you have heard their remonstrances, and until you have an opportunity of investigating the grave charges which the colonists have made against the New Zealand Company." That was precisely the argument he used; and but for the conduct of the Government, he believed that part of the measure would never have passed into a law. He did not mean to say that the noble Earl or the right hon. Gentleman the Secretary of State for the Colonies (Sir J. Pakington) were, solely or originally, responsible for the legislation in question; he was ready to admit that the same view which they had taken of it was taken by the noble Earl recently at the head of the Colonial Office (Earl Grey); but it would be a novel doctrine if a Government should introduce a measure of legislation in that House, and succeed in carrying it through Parliament, and then, when they found that an obnoxious proposition had been passed, and one about which grave remonstrances were presented, that they should come forward and say they were not responsible for that part of the measure. He protested against such a doctrine.

Petition read, and ordered to lie on the table.

THE UNIVERSITY OF CAMBRIDGE.

Lord LYNDHURST: My Lords, I beg to call your Lordships' attention to the Report of the Commissioners appointed to inquire into the state of the University of Cambridge, and the respective studies and discipline there, and which report has been laid on the table of your Lordships' House. Your Lordships are no doubt aware of the charges which have been repeatedly preferred of late years against the two Universities, accusing them of negligence, supineness, and indifference to improvement—and not only indifference to improvement with regard to the discipline of those learned bodies, but an absolute disposition to oppose all improvement. With respect to these charges against the University of Cambridge, I wish to direct your Lordships' notice to a few passages which are contained in the Commissioners' Report. The Commissioners say—

> "Before we conclude this Report, it is with unfeigned pleasure that we attempt another task; that we endeavour in a few words to indicate the points wherein the University has in modern times shown in the spirit of her administration her willingness to enlarge the cycle of her studies, and to modify her institutions so far as the rigid severity of her laws permitted. We have abundant proofs supplied by our evidence that the University has been liberal in the general administration of her funds, not husbanding them parsimoniously, but bestowing them to the very limits of her power upon objects of great academical importance. Nor should we fail to notice the vote of a committee to revise the statutes of the University, with a view to petitioning Your Majesty for Your Royal sanction to an amended code of University laws. This committee was voted by the Senate some time before the issue of a Royal Commission had been by any one anticipated. That the University was ready to enlarge its cycle of studies, is proved by its instituting new triposes of the moral and natural sciences, and thus affording to most of the professors an extended field of usefulness. A like spirit has been shown by the colleges, which in several instances have, at a great cost, and no small sacrifice of personal interests, enlarged their buildings, and in all cases shown themselves careful guardians of their corporate property, by foregoing a part of the income of the existing body, with a view to the prospective benefit of the society. Many of the colleges also have sought wholesome modifications of their statutes,

given up valueless or injurious privileges, and gone to the full extent of their powers in obtaining the removal of restrictions which prejudicially limited the free election to their fellowships and scholarships. All these were spontaneous acts, and in the right direction. We regard them as the marks of a wise and honourable spirit, and they have been in good part suggestive to ourselves of the reforms we have ventured to recommend."

In another part of their Report the Commissioners observe as follows:—

> "One happy circumstance in the position of the University is deserving of special comment. A great majority of the college fellowships have long been open to free competition; this has given to the University a high moral elevation, and contributed in a high degree to make her the honoured instrument of public good. The same condition marks the distribution of many valued University prizes. It is, we think, this fact which has called forth a high sentiment of honour, and an unbending sense of public duty on the part of the governing powers and examiners, whether of the colleges or of the University. That the rewards of competition be given to the most worthy is a principle now so deeply penetrating the moral life of Cambridge, that its violation seems almost beyond the region of thought.
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> "What above all other things gives us hope for the future good of Cambridge, is the manly, free, and truth-loving character of her sons, springing in part, at least, from her collegiate system, the character of her studies, and the uprightness of her administration, producing in return confidence and goodwill on the part of those committed to her care. In all her members she believes that she possesses a body of men, who, strong in their historical remembrances, cling to what is truly good, would seek for no needless change, and would admit of no change which had not the fair promise of scientific, moral, and religious benefit."

My Lords, as one of the oldest members of the University of Cambridge—having been a member of the Synod of that body for nearly sixty years—having represented the University of Cambridge in successive Parliaments—and holding, at present, a high office in that learned society—I thought it my duty to read these passages from the Report of the Commissioners, as affording the best answer to the charges, so often reiterated, to which I have referred, and which, I am sure, can have risen only from entire ignorance of what is passing within the walls of the University, and of the exertions made by that learned body to improve and extend, as far as their limited authority admits, the benefits of that noble institution. I hope your Lordships will excuse me for this intrusion.

SELECT COMMITTEES.

Earl GRANVILLE *moved*—

> "That, in the event of a division taking place in any Select Committee, the Question proposed, the Name of the Lord proposing the Question, and the respective Votes thereupon of each Lord present, be entered on the Minutes of Evidence, or on the Minutes of the Proceedings of the Committee (as the case may be), and reported to the House on the report of such Committee."

The noble Earl referred to the alterations adopted by the other House in reference to the record of the proceedings of Select Committees; and said that a Committee of their Lordships' House was appointed last year to consider how far those alterations would be applicable to the Committees of the Lords. As Chairman of the Committee he communicated with the Speaker of the House of Commons, who told him that from what he had heard he understood the alterations worked admirably; and, having received the evidence of some Members of the other House, the Committee reported on the subject. He moved their Lordships to agree to the recommendations of the Committee, with some alterations. On that occasion he was defeated, it being argued that it was not desirable to decide so hastily, as the evidence had not been laid before their Lordships. The evidence was now in their hands, and would be found strongly in favour of the Motion he proposed. He was aware that one objection to the Motion was, that it was the practice of their Lordships to assimilate the proceedings of Committees as much as possible to the proceedings of the whole House, and that no divisions were ever recorded in their Lordships' journals. But he did not see the great virtue of the existing regulation with respect to the whole House; for he thought that House, like every other body, would gain by publicity. He called their Lordships' attention, however, to the fact that not only what was said in that House was recorded in the public newspapers, but it was the practice of two noble Peers, having a sort of semi-official position, to make out a list of divisions, which appeared first of all in the newspapers, and afterwards in *Hansard*. It might be said by some that there was no occasion to publish the divisions in their Lordships' House, as their Lordships represented no constituencies. Nobody, at any rate, would deny that their Lordships were amenable to public opinion. However, the same argument did not apply to Committees, as they were composed of Peers delegated by their Lordships; and it was desirable that their Lordships should know how the majority and minority were composed. He recollected that in one of the most numerously attended Committees of that House a Report was prepared by the Marquess of Lansdowne, as representing the opinions of the then existing Government. Now, whether that Report was wrong or right, as it was in conformity with the existing legislation on the subject, some record of it ought to have been retained; and it surely would have been of interest to their Lordships and the public to know what it contained, and what the opinion of the minority was on the subject to which it referred. It was also of importance to know in what way particular paragraphs and recommendations in a report were carried—whether by a large or small majority, and in what way the Members voted; for it might happen that their Lordships would not give the same weight to the views of persons forming the majority which they did to those of the minority. When examined before the Committee to which he had already referred, Sir James Graham stated that the change which had taken place in the practice of Committees of the other House had been productive of unmixed good, and had proved most salutary in its results—one of the great advantages being that a minority had the opportunity afforded them of making known their views. He had no hesitation in saying that there was no department of the business of their Lordships' House that was more likely to do credit to their Lordships in the eyes of the public than the labours of their Select Committees. From the knowledge, the experience, and the ability of those who usually served on those Committees, they were peculiarly fitted to go into the investigations for which they were instituted; and as they examined witnesses on oath—which was not the case in the Committees of the other House—he believed that the publication of their proceedings would go far to keep up and increase the estimation which their Lordships held in public opinion. He believed the opinion of the public was very much influenced in the case of public bodies, as in individuals, by what took place in small as well as in great affairs; and, if their Lordships opposed the Resolution which he now proposed, it might lead to an opinion—which was the very reverse of the fact—that their Lordships were opposed to the safest and most necessary reforms.

Lord REDESDALE objected to the proposed Resolution, on the ground that it would entirely alter the character of the Committees of that House. When their Lordships delegated a certain number of its Members as a Committee to consider a particular question, the Report which they made was the Report of the Committee, and was so regarded by the House. But the effect of the alteration would be, that everybody's opinion would be given as well as that of the majority. He would certainly say "No!" to the Resolution, though he would not divide the House on the subject.

On Question, *agreed to.*

House adjourned to Thursday next.

HOUSE OF COMMONS,

Tuesday, December 7, 1852.

MINUTES.] NEW MEMBER SWORN.—For Peterborough, George Hammond Whalley, esq.

PUBLIC BILLS.—1° County Rates and Expenditure.

2° Land Improvement (Ireland); Leasing Powers (Ireland); Landlord and Tenant (Ireland); Tenant Right (Ireland).

3° Commons Inclosure.

POOR LAW ADMINISTRATION.

Mr. WALTER begged to ask whether the attention of the President of the Poor Law Board had been drawn to a case, reported in last Saturday's papers of a circumstance that had occurred in reference to a poor young woman who, in the last stage of pregnancy, and utterly destitute, had been, as was alleged, refused admittance into Lambeth workhouse? He wished also to ask the right hon. Gentleman whether the Poor Law Board had not the power to compel the Guardians to do their duty in such cases as that reported, without the intervention of the police; and, further, whether, if the right hon. Gentleman had noticed the case, he had taken any steps in the matter?

Sir JOHN TROLLOPE said, he had seen the report referred to, and had directed inquiries to be made into the whole case. Mr. Hall, the Metropolitan Poor Law Inspector, had that day, by his instructions, proceeded to Lambeth workhouse to investigate the matter, and to report the result of his inquiries to the Poor Law Board; but when he (Sir J. Trollope) left his office, half an hour since, Mr. Hall had not yet returned. So soon as he had possession of the facts himself, he should be ready to state them to the House. As to any power in the

Board of Guardians to call in the authority of the police to aid them in their duty, he knew of no such power, which he conceived would be wholly opposed to the entire spirit of the Poor Law Act.

PARLIAMENTARY PAPERS.

MR. TUFNELL said, he rose to move for a Select Committee to inquire into the expediency of distributing a selection from the Reports and Returns printed by order of the House of Commons, amongst the Literary and Scientific Institutions of the United Kingdom. The hon. Gentleman said, that his proposition was confined to a selection of the Parliamentary Reports and Papers—for to send down all those documents to any institution would be to overwhelm it—as the Members of the House were—with a mass of papers a considerable portion of which would be utterly useless. Indeed, he should be very glad to have the principle of selection extended to the documents printed for the use of Parliament itself; for, though nothing could exceed the value and interest of much that was printed in the " blue books" and papers, there could be no doubt that a great deal was printed needlessly. From 1731 to 1800 there were printed 110 volumes, and from 1801 down to the present time there were printed 1,794 volumes, not a few of which might have been very well dispensed with. In 1800 the annual number of volumes printed by the House was 20, now it was 60. He proposed that the Committee should lay down some rule as to what institutions should be entitled to these papers. An institution, for instance, ought to have a certain number of members to entitle them to the privilege. The mechanics' institutes had taken deep root in the country; they formed the great means by which the middle classes of society were enabled to obtain intellectual improvement; they were therefore deserving of peculiar favour, and many of the highest persons in the land, and some of the greatest statesmen of the age, did not disdain to lecture at some of them. To a conference held last year by the Society of Arts, the various mechanics' institutes sent delegates. The object of the conference was that such of those institutions as wished to affiliate themselves should enjoy the advantages which such affiliation would confer. He understood that since that time 230 institutions, numbering between 60,000 and 70,000 members, had so affiliated themselves. The next thing which the Committee should consider was, whether postage should be paid upon such papers as were sent to them. He thought that they should exact some trifling postage. The Committee might be made permanent, and should from time to time select the papers that should be distributed in the manner he proposed. He also thought, that, upon the dissolution of a society, these books should be distributed to other institutions, or disposed of as the House might think proper. He was desirous that full information should be given to the people upon the subject of finance, and colonisation. A selection of Parliamentary Reports and Papers such as he proposed, would, he was satisfied, be hailed as of the highest value and interest by the institutions in whose behalf he spoke, and would tend in a marked manner to diffuse among the people sound political information upon all the great subjects of national concern. They would show, too, that the representatives of the people, besides their attendance and debates in that House, were arduously engaged throughout the Session in the development of information essential for the public service. As he understood that the Government did not intend to oppose the appointment of a Committee, he would not detain the House further, but trusted that means would be devised for carrying out a measure which he was convinced would tend to rivet more firmly the links that connected that House with the most intelligent classes of the community.

MR. EWART seconded the Motion.

Motion made, and Question proposed—

> "That a Select Committee be appointed to inquire into the expediency of distributing, gratis, under certain regulations, a selection from the Reports and Returns printed by order of the House of Commons, amongst the Literary and Scientific Institutions, and Mechanics' Institutes, throughout the United Kingdom."

MR. HEADLAM concurred most cordially in the object of the Motion, but would make one suggestion which he thought might add to its utility. At the present moment there was not only a difficulty in obtaining the Parliamentary papers on the part of those who could not afford to pay for them, but those who were able and willing to pay for them, and did not know exactly how to proceed, and the places where they were sold, frequently could not obtain them, because the booksellers, getting no profit on them, would not have anything to do with them. The public were not generally aware of the low price at which the documents in question could be had; and if they were—those in the country especially—unless they had some friend in London who would take the trouble to procure and forward them, they could not get them. What he would suggest, then, was, that the terms of the Motion should be so altered as that the inquiry should embrace the question, whether by any alteration in the mode of selling Parliamentary papers they might not be circulated with greater facility than at present.

Amendment proposed—

> "At the end of the Question, to add the words 'and to inquire whether any alterations should be made in the mode in which such documents are sold to make them more accessible to the community.'"

MR. HUME said, the question involved had been decided two or three times already; and he must remind the House of the boon which had been already conferred on the public by the adoption of the recommendation of the Committee of which he had been a Member—to reduce the price of Parliamentary papers to the mere cost of the paper and the printing. The price fixed by the Committee was 1*d.* per sheet, because they supposed that no one desirous of obtaining the information therein contained would object to so small an expenditure. The Committee found that the House had two millions and a half of valuable papers locked up, which were of no use to them, and were only costing the country a great expense for warehouse room; and therefore it was the House had adopted the recommendation of the Committee to sell them at the mere price of paper and print. He fully agreed in the desirableness of giving every publicity to all the information that came before the House, and which could not be collected by any other means; and it was upon that principle that he had always been favourable to removal of the tax on newspapers. He was pleased that his right hon. Friend had brought the subject forward; and he could not help pressing on the Chancellor of the Exchequer, that if he was sincere in the speech he had made last night, there was a tax which he might take off, and which would have the effect of adding greatly to the knowledge of the people. Let the local newspapers, so long as they were confined to their own locality, be free from stamps, and only let them be stamped when they were sent through the post. He hoped the right hon. Gentleman would not only support this Motion, but take into his consideration such a means of spreading knowledge as would be the result of such a plan, with regard to local newspapers, as he suggested.

MR. MONCKTON MILNES said, he rose to confirm the observation of the hon. Member for Newcastle (Mr. Headlam), for it was the fact, that it was not generally known that Parliamentary papers were to be bought freely, and at a very low price—indeed, it was generally supposed that they could not be obtained at all without the intervention of a Member of that House. He had himself had many applications to him by persons to assist them in procuring them, who were unaware that they could get them so easily. He wished to take this opportunity of expressing his dislike to the change which had been made in the form of the reports of the House. The good old large orthodox folio had been abolished, and a little, thick, dumpy volume substituted, which was far less convenient, for by turning over a folio page you could see at a glance whether there was anything in it which you wanted to read, while in a small volume you took twice the time in finding it out. He quite agreed in the proposal of his right hon. Friend, and he only hoped that if the papers of the House were to be more largely circulated, that Committees would be more careful as to the extent of questions that were put, so as to avoid collecting together, as was now the case, a quantity of unreadable stuff.

MR. FORTESCUE, as one who took a strong interest in mechanics' institutes, begged to thank his right hon. Friend for this attempt to extend a new class of reading to them. It was said, that judging from the decline in the circulation of *Chambers's Journal*, the *Penny Magazine*, and similar publications, the principal reading the working classes now cared for was political; and if that were so, care should be taken that that kind of reading should be of the best quality. He cordially approved of the Motion, as he thought the perusal of these papers would show the working classes that more was done in the House than mere talking and debating, and the information contained in them would tend to correct many crude and mischievous ideas.

The CHANCELLOR OF THE EXCHEQUER said, there could be no doubt that the Parliamentary literature of this country was one of the most remarkable features of the intellectual development of the age in which we lived. He believed we could not more perfectly ascertain its value than by comparing the sources accessible to an historian in this country some time back with the resources at the command of any one now who undertook to write the history of the country in which we lived. If we only looked at the means which even so great an historian as Mr. Hume had at his command, we should find him often searching through several ancient Acts of Parliament to discover the price of a single article, whereas the statistical details which were now at the command of the historian of the day, threw a complete light upon every question connected with the food and the means of subsistence of the people. If we looked to manners, if we looked to the means of Government not only in this country but its dependencies, and indeed, to all those subjects which ought to afford the materials whence the true history of a country was drawn, we should find that in the Parliamentary literature, which had grown into importance within the last half-century, resources were placed in the hands of public writers, such as never had been before possessed in any time or country. Neither could he altogether agree with the criticism of the hon. Member for Pontefract (Mr. M. Milnes), on the unimportance of any portion of these documents. It would be extremely undesirable that any restrictions should be laid upon the investigations of our statesmen; and he would say himself that he did not find that there was that wearisome or worthless result of the labours of Committees to which the hon. Member had referred; on the contrary, he did not think it possible to over-estimate the importance and value of the labours of Parliamentary Committees. He agreed with the right hon. Gentleman who had introduced the Motion that there were few institutions in this country which ought to be more encouraged, and which tended more to the public welfare, than mechanics' institutions. Therefore, so far as the Motion before the House was concerned, he should offer no opposition whatever to it, and he should be very glad if the Committee should arrive at a practical conclusion, which could be recommended to and adopted by the House. This was all he could say at present, because he felt that the recommendations of the Committee, if adopted, must depend very much upon the manner in which they arranged the details of the question. He did not think that the conditions on which these institutions were to obtain the publications of the House should be of too easy a character, but that they should be sensible of the privileges they enjoyed. Among themselves, he conceived that the privilege of receiving all these publications as a matter of course rendered many of them insensible to the value of the documents, and perhaps many volumes were never opened at all which would be studied minutely if there were more difficulty and some cost in obtaining them. This would be one of the principal objects to which the Committee must give their attention. He did not pretend to lay down any rules in any way to guide the Committee; he only said that the House would expect them to show that practical good would be obtained by the dissemination, at some cost and trouble, of these papers, and that they would give their particular attention to these points of detail. They were all agreed on the principal points; they agreed on a due appreciation of the publication of the labours of the two Houses of Parliament; they agreed that it was very important that the great body of the people should become acquainted with the most valuable and recent information which these publications contained; but how that information could be most satisfactorily disseminated throughout the country was a question to which the Committee must give their most earnest attention; for he was sure that the House would not sanction any proposition of this kind unless it conceived that great practical good would result. He himself had expressed his belief that it would. It would be for the Committee to overcome those difficulties which had been suggested, which would be obvious to all, and he should be exceedingly glad if by assenting to the Motion of the right hon. Gentleman consequences should follow which should by one other means—by conveying to them this valuable species of information—elevate the character of the people of this country.

MR. BROTHERTON said, that by sending the volumes of Parliamentary reports to mechanics' institutes the public would have greater access to them, and he was convinced that the people of this country were fully able to appreciate the information conveyed in them. If the people were seeking political power it was important that they should have the best political education; and as this country was now governed by public opinion, it was most important that public opinion should be elevated. He had had opportunities of seeing in the public libraries and institutions of Manchester and Salford how those publications were appreciated, and he had received many communications pressing on him the advantage of having those books circulated, and he believed that their circulation would be productive of great public good.

Mr. HILDYARD said, that in the town he represented there was difficulty in raising the funds necessary for keeping up mechanics' institutions, and he believed it was so elsewhere; and as the best mode of securing such funds was by increasing the honorary members, he begged to suggest that in the selection of Parliamentary papers which were sent to mechanics' institutions, regard should be had not merely to such as would be interesting to mechanics alone, but to the class above them; and when it was known that mechanics' institutions were the depositories of Parliamentary papers, the number of honorary members would be increased.

Question, "That those words be there added," put, and *agreed to.*

Main Question, as amended, put, and *agreed to.*

Select Committee *appointed*—

"To inquire into the expediency of distributing, gratis, under certain regulations, a selection from the Reports and Returns printed by order of the House of Commons, amongst the Literary and Scientific Institutions, and Mechanics' Institutes, throughout the United Kingdom; and to inquire whether any alteration should be made in the mode in which such documents are sold to make them more accessible to the community."

PARTNERSHIPS OF LIMITED LIABILITY—

THE NORTH AMERICAN SCREW STEAM-SHIP COMPANY.

Mr. W. BROWN rose to move for copies of all applications made by the London, Liverpool, and North American Screw Steam-ship Company to the Board of Trade for a charter, and of all correspondence between the said company and the Board of Trade on the subject thereof; and of all letters, memorials, and other communications received by the Board of Trade from other persons, companies, and associations relating to such application. The hon. Gentleman (who was very imperfectly heard) observed, that his Motion arose out of a feeling that injustice might be done in consequence of an application which had been made to the Board of Trade by the London, Liverpool, and North American Screw Steam-ship Company to grant them a charter, limiting the individual liability of the shareholders. Those on whose behalf he spoke, considering that this would be a very dangerous precedent, sought no such privileges for themselves. They considered that it would be a direct interference with private enterprise, and a direct violation of the principle that unrestricted competition should be the policy of nations. They deemed it to be most important that the Government should not grant to one class of Her Majesty's subjects privileges which were not enjoyed by all, when no necessity was made out for such a course. It could not be denied that an immense amount of the shipping of the United Kingdom was already engaged in the trade which was now sought to be monopolised. Already screw steam-ships were trading, and many others were being built for the purpose of carrying it on. Cunard's line alone had several vessels of this description on the stocks, and none of these sought any exclusive benefits or privileges. His views upon this subject were fully set forth in a memorial from the shipowners of Liverpool to the Board of Trade, which with the permission of the House he would read:—

"The Memorial of the undersigned Shipowners of the Port of Liverpool,

"Sheweth—That your Memorialists have observed that an application by the London, Liverpool, and North American Screw Steam-ship Company, for a Charter, with limited Liability, is still under the consideration of your Honourable Board.

"That your Memorialists have an immense stake in the Shipping of this country, and they have embarked their capital therein, willing to incur all the responsibilities and risks of Shipowners, to the fullest amount of individual liability, and content to compete, fairly and freely, one with another, like any other unprivileged class of British Traders.

"That to encourage by a Charter, with Limited Liability, a body of Speculators to compete with your Memorialists, at a very small risk to themselves, and to deprive your Memorialists of a very considerable portion of that trade which has been created by their industry and perseverance through all difficulties and disadvantages, would not only be most unjust and injurious to your Memorialists, but a great discouragement to all future private enterprise.

"That the granting of such a Charter is not called for by any public necessity at the present time; and there can be no doubt, that if your Memorialists and others engaged in Shipping are not discouraged (as they will be if such a Charter as the one sought for is granted), an almost unlimited amount of Capital will, in a few years, be invested in Screw and other Steam-ships, to trade between this Country and North America.

"That it is only by encouraging free and unprivileged competition between Shipowners, not favouring one class or body more than another, that this Country can continue to experience the benefit of a still further extension of Nautical science, and of successive Mechanical improvemants connected with Steam-ships and Shipbuilding generally, such as of late years have contributed so much to the public convenience and advantage."

The hon. Member then proceeded to state his surprise that a banker, one of the hon. Members for the City of London, had accompanied that deputation who were seeking to obtain for their company limited liability. He presumed it was merely to introduce his constituents to the right hon. the President of the Board of Trade, for no man knew better than he (Mr. Masterman) if a Joint Stock Company wished to open an account with a London banker, if he found connected with it men of great wealth and respectability, who were responsible for the whole amount of their fortunes, there was no difficulty; but, let the very same men be united in a Joint Stock Company with limited liability, and seek to do business with them, prudence would make him view the account very differently. He thought it would not be disputed that Joint Stock Companies necessarily carried on their business more expensively and with less economy than private individuals; and where they were chartered with limited liability, in any trade, they discouraged private competition. And what was the effect? If they were successful, the public must pay more for their services; if they were not able to pay their debts, their creditors must suffer, as they had no claim on the private fortunes of the partners. As credit was one of the elements of the power and greatness of this country, anything that impaired it in the least was a positive injury to the State. Here, with the exception of the Bank of England, railroads, and a few marine companies, where the funds required were too large for individual means, or where the nature of the undertaking was of great benefit to the State, but of doubtful or speculative advantage to the stockholders, had charters of limited liability been granted. Here were cases made out, but there was none for Canada. Look at France, where limited liability was common. The credit of France, compared with that of England in foreign nations, could not be spoken of in the same day. He knew, from his own experience, that, in the worst of times, bills on England, with respectable drawers, were saleable, because they had no limited liability. It was different with French bills, for they had no knowledge in foreign countries of who the partners were, or to what extent limited liability would operate against us, and consequently they were in worse credit than we, and we should preserve our 'vantage ground by every means in our power, and not impair it. There was nothing, he said, of which the House should be so jealous as the introduction of a system which, under the name of joint-stock companies, would interfere with the commercial credit of this great country. He hoped, therefore, the President of the Board of Trade would grant the papers which he had moved for, in order that those gentlemen who considered that it would be unwise in Government to grant the privileges that were now asked for might have an opportunity of seeing on what ground they were sought, and of answering the argument that might have been put forward on their behalf, which he had no doubt could be done in a manner quite satisfactory to the Government. He hoped the Government would not in this case depart from the Resolution which the House had agreed to only a few nights ago, by a majority of nearly five hundred, that unrestricted competition should be the policy of this country, which forbade special privileges to any company. It was an important fact, that many of the States of America, which, prior to 1837, granted charters of limited liability to their banks, had found them productive of such serious consequences that they had refused to renew them on the same terms. In the State of New York they required caution money; in some other States they made the stockholders liable for more than the amount of their stock. When these shrewd people were retracing their steps from known evils, he trusted this country would not allow that most important element—credit—which had contributed so much to the prosperity of the country, to be impaired by granting charters of limited liability. At the same time he did not deny that, with places very remote, where the undertaking was speculative, and where private capital was inadequate to the undertaking, but where it was of importance to the nation to have a quick and safe postal communication, to encourage a new trade charters might be granted as the exception, but not as the rule. But none of these requirements were necessary in the North American trade. There was abundance of money seeking employment everywhere that there was the least prospect of turning it to account even for a moderate return. He admitted that the Board of Trade had a difficulty to contend with, where such contradictory views were impressed on the right hon. President; but forty years' experience in business had convinced him of the danger that would arise from granting charters of limited liability. For these reasons, he hoped the returns would not be refused, because limited liability would impair the general credit of the nation; because it would injure most important interests, without any corresponding benefit to the State; because there were ample funds to meet the requirements in question; and because we had already a most efficient postal communication by the Cunard line, which had no special privileges of limited liability. All this showed that the joint-stock company in question had no special case that ought to induce the Government to meet their views. Having stated his opinions, he would trouble the House no further than to thank them for the indulgence they had accorded to him. To the hon. Member for Kidderminster, he (Mr. Brown) said, all he wanted was a fair field and no favour, and that we should maintain the vote of unrestricted competition. To the hon. Member for Cork, he would say, that wherever cargo was to be got it enabled ships to carry passengers cheaper than where there was no cargo; but as his object was to get an expression of the opinions of the House, rather than divide on the Motion for papers, he would withdraw it; at the same time, although there might be a difficulty in granting papers in negotiation with foreign Governments, he saw none on the present occasion. He assured the right hon. the President of the Board of Trade that his asking for those documents was not for want of confidence in or respect to him, and he had no doubt the right hon. Gentleman would decide as he conscientiously believed to be right.

Mr. CLAY seconded the Motion.

Motion made, and Question proposed—

> "That there be laid before this House, Copies of all applications made by the London, Liverpool, and North American Screw Steamship Company to the Board of Trade for a Charter; and of all Correspondence between the said Company and Board of Trade on the subject thereof; and of all Letters, Memorials, and other Communications received by the Board of Trade from other Persons, Companies, and Associations relating to such application."

Mr. HENLEY said, that the hon. Gentleman had been kind enough to remark that he (Mr. Henley) was placed in a difficult position in the office which he had the honour to hold; and he thought the House would admit that the hon. Member had done everything in his power—everything, indeed, that a man could possibly do—to make the duties of that situation, not only more difficult, but almost impossible for him to fulfil. What would have been the fair course to be pursued by any hon. Member entertaining the views which the hon. Gentleman no doubt conscientiously held on this question? It might have been open to him to have waited to see what judgment the Board of Trade should come to on the matter; for he begged the House to understand the question was still *sub judice*. But the hon. Member (Mr. Brown)—who claimed for himself such powers of unrestricted competition—was not content to leave the question to the jurisdiction of the appointed tribunal, but at once endeavoured to bring the question under the discussion of that House—for that was what he was attempting to do by his present Motion. Surely, a fairer way would have been to at once move the House to rescind the power of the Board of Trade to grant charters altogether. That would have been a plain and intelligible course—a course which everybody could have understood; and though there would probably have been some difference of opinion on the question, they could all have fairly debated it on its general merits. But he must contend—and he hoped the House would support him in this view—that it was a most unfair manner of proceeding to raise a general question of this vast importance—the question of limited liability—on a particular case, and that case still *sub judice*. But was this all? In his short speech the hon. Member had made an admission which at once cut the ground from under his feet. He admitted, he said, that there might be cases of an exceptional character, in which it might be proper to grant charters. But the hon. Member must excuse him for saying that he and the other gentlemen who had memorialised the Board of Trade on this subject, hardly condescended to notice the exceptional character of the present application until he (Mr. Henley) called their attention to it—he meant the Company's proposal to open a steam communication with Canada. But he would not enter into the merits of the general question on this occasion—because it was not on that ground that he objected to granting the papers—although the hon. Gentleman had made use of some arguments which did not bear out his general views—he said, for instance, that, if limited liability was established, persons would not be compellable to pay their debts; yet, while holding these views, he said that charters might be granted in cases which were exceptional, notwithstanding this result. The ground on which he asked the House to resist the Motion was this: The matter was at present *sub judice.* If the House chose to take the matter into its own hands, let them do so; but while it was *sub judice*, he maintained that the papers ought not to be granted. When he had once come to a determination on the question, he should be ready to produce any papers that Parliament might call for; but until that was the case, he hoped the House would support him in resisting the Motion.

Mr. JAMES CLAY said, that although at first sight it might seem of small consequence whether a charter was or was not granted to this company, it involved, in point of fact, a very great principle—namely, whether any persons under any circumstances were to have special privileges as against their competitors in trade. If this charter were granted, what would become of the principle that unrestricted competition was to be the governing principle of our commercial legislation? If this charter were granted, the applicants would have the advantage of limited liability, whatever that might be, and by the amount of that advantage their competitors would be restricted in their competition. But the right hon. Gentleman had said that the hon. Member (Mr. Brown) ought not to have taken the course he had adopted until he (Mr. Henley) had decided the question. With great deference to the right hon. Gentleman, he begged to say that it would then have been too late to agitate the subject. He agreed, however, with the right hon. Gentleman that the best course which those who thought as he (Mr. Clay) did on this subject, could adopt, was without delay to bring before the House the question whether, under present circumstances, and with the commercial principles which the House had recently sanctioned, the power of granting charters ought to be left with the Board of Trade. He believed that the principle on which the Board of Trade had hitherto acted in occasionally granting charters of limited liability to companies, was to grant them only in cases in which the capital was of such magnitude, or the risk so great, as to be beyond the reach of private capital or private enterprise. Now, the present case fell within neither of these conditions—the capital was not large, and the risk not unusual. It was represented that hitherto we had had no steam communication with Canada; and that was true, but the reason was, that hitherto it had not been found profitable. But circumstances had changed. The development of the screw, by diminishing the cost, had increased the profit of such voyages, and private enterprise was now ready to enter upon the trade in question. They would only be too ready, indeed, to enter upon it if they could get the bonus which, as he understood, the present company had secured for themselves—not, indeed, from the Board of Trade, but from the local Legislature. But, supposing that private enterprise was not likely to enter upon this trade, and that it might, therefore, be right to grant a charter to this company for the purpose, that would, at the best, only furnish an argument for granting a special privilege for a special purpose, but not for granting a charter to a company which sought the wider privilege of competing for a share of the trade with the United States—in other words, which sought to enter into direct competition with the magnificent service by which that trade was at present conducted, and which would be injuriously affected by such privilege being granted to their opponents. It would be easy to show that this company had less than the usual claim for a charter, because they had already secured a grant in their favour of 24,000*l.*—namely, 19,000*l.* from the local Legislature, besides being exempt from dues, and 5,000*l.* from the railway that ran to their port. But he took his stand on the general principle that now-a-days no body of men could be permitted exclusive privileges against their competitors in trade. At the time when the power of granting charters of limited liability was conferred on the Board of Trade, the principle of unrestricted competition was not so generally acknowledged as at present; but now he was strongly of opinion that the power of granting charters ought to revert to Parliament—not that he distrusted the Board of Trade on the matter, still less the right hon. Gentleman who was at present at the head of it, whose attention to all matters that were brought before him, and whose courtesy to all who had occasion to see him, every one gratefully acknowledged—

but the cases in which charters ought to be granted were so few—he greatly doubted, indeed, if there should be any—but the cases at any rate were so few, that the consideration of them would not sensibly affect the labours of Parliament, while the importance of the principle which they involved was so great that Parliament alone should decide as to the exceptions. If the system of granting charters of limited liability was to be allowed to continue, the logical and inevitable result would be, that we must adopt the French system of partnerships *en commandité;* and he, for one, was not prepared to say that that could be adopted without serious disturbance to our commercial system, and without serious limitation of that credit which, along with, or rather the rather the result of, our capital and energy, had made our commercial enterprise the envy of the world.

Mr. LOWE said, he could imagine no course more inconvenient than, when a matter had, by Act of Parliament, been referred for adjudication to a specific and responsible department of Government, for the House of Commons, while the matter was still undecided, to employ itself in debating the question on its merits. And therefore on the claim of the company he should not say a single word, not doubting for a moment that it would be equitably and properly dealt with by the right hon. Gentleman the President of the Board of Trade, on whom, by virtue of the Act of Parliament, that responsible duty devolved. Had he (Mr. Lowe) had the least notion before he came down to the House that the Motion of the hon. Gentleman (Mr. Brown) had involved a question of so serious a character, he would have taken pains to prepare himself for its discussion in a manner worthy of its importance. But, little right as he had to trespass on the attention of the House, he could not keep his seat and hear an hon. Gentleman rise in his place and call upon the House to take measures which would have the effect of eliminating from the field of common exertion a formidable and new competitor, and yet say that they ought to do so on the principle of unrestricted competition; for if there was any meaning in the petition to which the hon. Gentleman had referred, it was this—that those who were already concerned in the shipping trade with North America were anxious that the right hon. Gentleman the President of the Board of Trade should not, by granting a charter to the Screw Company, raise up a new and formidable competitor to share with them the profits of the enterprise, and to diminish the freight and passage to the consumer. He must say he thought it rather too much, when Gentlemen came to the House and asked them to interfere with the important duties of a department of Government, in order to prevent a competitor being introduced into the field of enterprise—it was too much, he said, to colour such a Motion with the name of "unrestricted competition." It was precisely the reverse. The law, as it stood at present—the law of unlimited liability—was a restraint on competition. If there was no law of unlimited liability there would be much more competition in the different trades than there now was, and many articles would be cheapened to the consumer. But it had been the law of England for sixty years that if any person entered into competition in any branch of trade, he must do so under the very highest penalty, namely, that if he were unsuccessful he must lose his last shilling and his last acre. Was this a law to encourage the competition of capital, which told the capitalist that whatever he did with his capital, he must do under the very highest penalty—under the penalty of *prœmunire*—a total loss of his goods—and all this to deter him from embarking his capital in trade! That was the present restrictive state of the law. The House of Commons had been recently asked to bring their financial policy into unison with their commercial policy, and adopt the principle of unrestricted competition; now he (Mr. Lowe) thought they would do wisely if they followed up the same principle with respect to legal policy, and swept away all those institutions and laws which tended—as this law manifestly did—to restrain, embarrass, and hinder the competition of capital in different trades and employments. What was the right hon. Gentleman the President of the Board of Trade empowered by Act of Parliament to do? What he was empowered to do was, *pro tanto*, as often as he should see that a case was made out, to break down the present fettering law and give the capitalist power to compete with other capitalists, without the penalty which the law of unlimited liability attached to such a course. The provisional power given to the Board of Trade was, in reality, a power to remedy the injustice of the law of unlimited responsibility. And this power was now attacked. It was said it was opposed to free trade. What had been its results, he would ask?

Had they been unfruitful? What was it that had covered our land with railroads, and our seas with steamships and mercantile fleets, except the power of suspending and annihilating the law of unlimited liability? But it was said that such a state of things was injurious to credit. That was the concern of those who gave credit. If any one should think, upon consideration, that the credit which unlimited liability gave, was better worth having than the credit which limited liability offered, he was at liberty to make his election. But, on the other hand, if he preferred the credit which limited liability and publicity offered, he had a right to do so. It was for the public to decide how much credit they would give in either case. It was no part of our laws to settle people's private affairs, or to interfere to prevent the public from protecting themselves. But what was done with advantage in France and in the United States of America, might, he thought, be done with advantage in this country also. He (Mr. Lowe) trusted that the day was not far distant when Parliament would relieve the Board of Trade from the invidious and annoying duty which had been cast upon it, not by taking away the power, which had been so beneficial, of permitting large associations with limited liability, but by leaving it to every set of persons who wished to associate their capital for a common enterprise to do so without having occasion to go to the Government at all, or spend one shilling in fees or stamps merely (as in America) by making known to the public the amount of capital they put into the concern, so that the public might be aware with what they dealt. He must crave pardon for having trespassed thus upon the House, but he could not sit silent when he heard an attempt made to fetter the freedom of competition under the name of unrestricted competition itself.

MR. ROCHE said, that he would vote with the right hon. Gentleman if he persisted in refusing the correspondence, having confidence in his exercise of the powers entrusted to him. He would, observe, however, that the company had put forward in their prospectus that it was intended to open communication between Ireland, Canada, and the United States; and he thought the way in which the question affected Ireland had been entirely left out of consideration. It was a point, however, of very great importance. The emigration from Liverpool alone had, in the present year, been over 200,000 persons, and no one could imagine the sufferings of those individuals from the insufficient accommodation afforded at very high rates. He hoped the Government would not forget this circumstance, and on them he was quite content to leave the responsibility of deciding between the contending parties.

MR. BROTHERTON remembered, years ago, a chartered company which issued 30,000*l.* of bills, and got them discounted by a number of shopkeepers. The bills were dishonoured, and he recollected meeting the representative of this chartered company, who coolly said, "We are not personally liable; we are sorry for you, gentlemen, but we cannot pay the bills at present, and we are not personally liable." If the company had not been chartered, they would have been under the disagreeable necessity of paying their debts. Before charters were granted he thought great care should be taken; for in the course of his experience he knew many companies—shipping companies—which never would have paid their debts if they had not been personally liable. He considered the principle with regard to these cases to be that what could be accomplished by private enterprise should not be subject of a charter. Conceiving the great object was to have a discussion, he should recommend the hon. Gentleman to withdraw the Motion under the circumstances which had been stated by the President of the Board of Trade.

VISCOUNT GODERICH did not apprehend that there was any ground for imputing a desire to eliminate from the field of commerce a new and powerful competitor. All that was sought was, that there should be in this case the same freedom of trade as in others. It was not usual to grant a charter to one company which would come in competition with other companies not having charters; and in this instance it would be the more unfair, because the established companies had sunk three millions of money in the undertaking. The hon. Member for the county of Cork (Mr. Roche) was anxious to get cheaper freights for Irish emigrants; he, however, did not see how the hon. Gentleman would obtain that object if he advocated the establishment of a company which by these special privileges would speedily drive all other persons out of the trade, and thereby raise freights to monopoly prices. The objection to the Screw Company was, that, if they obtained these privileges, they would inevitably establish a monopoly by extinguishing all competition. He ventured to believe that the establishing steam communication with Canada was only an excuse for an attempt to engross the whole trade with North America. If it was not an excuse, the bonus of 24,000*l.* from the Canadian Government, besides special exemption from tolls, would surely be sufficient to induce them to do the little they were required, namely, to send one ship a month at first, and afterwards one ship fortnightly.

Mr. JAMES MACGREGOR had certainly brought under the notice of the Board of Trade a memorial, setting forth the claims of this new company for a charter; and in doing so had not desired to establish what had been termed a monopoly. The Iron Screw-ship Company would not displace any other company in the same trade, for he understood that no British ships were employed in the Canada trade from the port of London. His object in bringing the memorial to the notice of the Board of Trade was because he thought that to build British ships of British iron to trade to British ports, was doing a public service; and he could not help thinking that such a purpose must prove generally beneficial. If Dr. Johnson was right in saying that a ship was a prison with the additional disadvantage of the risk of being drowned, he thought that a man who assisted emigrants to make a shorter voyage did a service to his country.

Mr. HUME concurred with the noble Lord (Viscount Goderich) that by granting this charter the right hon. Gentleman (Mr. Henley) would be violating the great and important principle of unrestricted competition. No charter could be given without granting exclusive privileges, and no exclusive privileges could be granted without interfering with individual adventurers. When a great work could only be accomplished by the congregation of an immense capital, which could not be obtained without a charter, a charter might be granted; but that was the only exception which he admitted. But it was not usual to ask for documents *pendente lite;* and as the Motion, by its wording, might seem to cast some suspicion on the President of the Board of Trade, and after the explanation which had been given, he hoped the hon. Gentleman (Mr. Brown) would withdraw it.

Sir FRANCIS BARING understood the right hon. Gentleman (Mr. Henley) objected to this Motion because the question to which it referred was now pending, and he seemed to consider that sufficient ground for not laying the papers on the table of the House. If any public inconvenience would arise, it was undesirable for any Member to press for the production of papers; but with regard to foreign affairs, when a discussion with a foreign country was in progress, it was not proper to produce the papers until the discussion was ended. But it was usual when questions of great importance were pending before other departments, to produce papers and correspondence on both sides before those questions were definitively settled. It appeared to him that calling for these papers by no means cast the slightest imputation upon the right hon. Gentleman that he would act unfairly in discharging his duty, and it had always been the practice to grant such information unless the public convenience could be alleged against the concession.

Mr. HENLEY said, letters and papers on the subject were coming in day by day, and therefore, before he saw the whole case before him, he thought it would be inconvenient to lay the papers on the table of the House. As the whole case was not before him, he could not form a judgment upon it, and on those grounds he considered it inexpedient to accede to the Motion. That was what he had intended to express by his previous statement. He still thought it was inconvenient to agree to the Motion, because only half the case would be before the House.

Mr. TURNER had been surprised to hear an hon. Member advocate the grant of a charter on the ground of unrestricted competition. The company came for privileges not enjoyed by shipowners in general, their object being to induce a number of persons of small capital to embark in the undertaking. Unless there was a want of capital in the trade—unless a charter was necessary on grounds of public utility, it was surely unjust to allow a company to overbear private individuals. The hon. Member for Kidderminster (Mr. Lowe) said, the law of unlimited liability prevented many from embarking in trade. He had no question such was the case, and very properly. English people were quite prone enough to speculation, as successive panics, which occurred periodically, proved; and if the parties were not liable to the extent of their whole property, those panics would be of much more frequent occurrence. They all recollected the American panic of 1837 and 1839, and the East Indian panic of 1847, which were traceable entirely to excessive speculation. He was in America in 1837, and in one of the largest streets in New York there were not two solvent firms. The law of unlimited liability was in effect, that no person should be induced to enter into any engagement without seeing his way clear to perform that engagement. He hoped the President of the Board of Trade would be very cautious in granting a charter for any object which private means and private enterprise could accomplish. In this instance private means were quite sufficient, and if the principle was adopted in this case, every large proprietor of ships in the United Kingdom would have as good grounds for demanding the same privilege. The effect of the incorporation of this company would be simply to raise their shares to a premium in the market; and, under all the circumstances, he hoped that the right hon. Gentleman would exercise great caution in granting the charter.

MR. R. M. FOX begged leave to set the House right with regard to this company, of which he would state in the outset that he was one of the directors. The Government of Canada was anxious to obtain steam communication with this country; but private enterprise had been appealed to in vain, and at last this company was started. The opposition to the charter did not proceed "from private enterprise," but from parties who received from Government 140,000*l.* a year for carrying the mails; and it also came from the Collins line, who were strongly aided by the public money of another country. He would also call the attention of the House to the fact, that the incorporation of the company would enable them to offer very great advantages to the Irish emigrant, who would avoid the miseries of going to Liverpool, and might embark either at one of the western ports, or at some port of call, such as Cork or Belfast. The fact that men of the highest station in Canada and Newfoundland (which island was deeply interested in this matter) were connected with the company, ought to have saved them from the imputation of an anxiety to raise the value of their shares in the market. It was a *bonâ fide* undertaking, which was intended to be carried out without asking for a single shilling from the Government. A contract had been entered into with the Government of Canada, and if the charter was granted, there would be steam communication between the two countries; if not, he believed that Canada would go without it for a very long time.

MR. V. SCULLY said, it might be a reason for not granting a charter in this case if there were no peculiar facilities granted to other companies; but they knew very well that there were two large and powerful companies who were largely assisted by this country and the United States, and in consequence they had a monopoly now. He wished strongly to impress upon the House the importance of steam communication between Ireland and Canada, which appeared to have been left entirely out of consideration.

MR. HUDSON said, the Act of Parliament left it to the Board of Trade, whether a charter should be granted or not, and his constituents were quite satisfied with the sound judgment of the President of the Board of Trade. In many of the principles laid down he perfectly concurred; but there were cases where it was most desirable that limited responsibility should be given, but the Board of Trade might foster projects which did not come within the scope of private enterprise. He thought that private enterprise was much more likely to be successful, than enterprises undertaken by companies managed by boards of directors. He hoped the hon. Gentleman would not persevere in the Motion he had made.

MR. ALEXANDER HASTIE was of opinion that, if the President of the Board of Trade would leave the matter to the enterprise of private parties, steam communication would be established not only between England and Canada, but between England and China. Screw-ships were building for the latter trade. Emigrants, he believed, would be as well accommodated by a company without a subsidy or a charter, as by one with a subsidy or a charter. He recommended his hon. Friend to withdraw the Motion.

MR. W. BROWN said, what they wanted was, "a clear stage and no favour" for any company whatever. He should be extremely sorry to ask for papers, the production of which would embarrass the right hon. Gentleman. If there was any negotiation going on with any foreign State, there might be a difficulty, but there was no difficulty in the present case; but as the right hon. Gentleman was of a different opinion, he would withdraw the Motion, and he trusted and was confident that he would do justice to all parties.

Mr. JOHN MACGREGOR expressed his conviction that steam navigation to Canada would be as effectually carried out by private enterprise from Glasgow and Liverpool as by means of any charter whatever.

Motion, by leave, *withdrawn.*

COUNTY RATES AND EXPENDITURE BILL.

Mr. MILNER GIBSON moved for leave to bring in a Bill to establish county financial boards for the assessing of county rates, and for the administration of county expenditure in England and Wales. It would not be necessary for him to go into the details of this Bill, when he informed the House that the principle of the Bill had been sanctioned twice during the last Session, the second reading having been passed without a division; and, there having been two Committees of that House who had paid great attention and given much time and consideration to the question, he thought the House would conceive that the mere asking for leave to bring in the Bill would probably not be opposed. It had been remarked to him by a friend that he was surprised that one who had sat in that House so long as he had, should undertake to bring in a Bill, especially one of so great importance, and containing so many clauses. And certainly his experience of the difficulty of a private Member carrying a Bill in that House, somewhat justified this remark; but he was encouraged to proceed by the observations of the Chancellor of the Exchequer the other evening, when he said he was favourable (as he understood) to the introduction of the representative principle into local administration. That was the principle of this Bill. He proposed to give the ratepayers a control over county expenditure. He did not propose to constitute financial boards from which the magistrates should be excluded: quite the reverse. He took the security in this Bill that one-half of the board should consist of magistrates; he took care that the judicial power of the magistrates, and their powers as to the regulation of gaols, should not be interfered with by these financial boards. He wished as far as possible to assimilate these county financial boards to town councils, and to give them no more power than was necessary for the control of expenditure and financial matters. He would, therefore, now not trespass on the attention of the House, but would simply move for leave to bring in the Bill.

Mr. WALPOLE said, the right hon. Gentleman had certainly twice if not three times brought in Bills on this subject; but these Bills were not the same. One of these Bills was referred to a Select Committee, which made great alterations in it, and then, if he recollected aright, the right hon. Gentleman brought in another Bill last year, which did not contain all the recommendations of the Committee. He should not oppose the introduction of the Bill; but as the clauses were not explained, he reserved to himself the fullest power of expressly disapproving of the second reading if it did not contain, as it ought, a provision that the magistrates should have the fullest power over, and management of, gaols, lunatic asylums, and bridges.

Leave *given.*

Bill *ordered* to be brought in by Mr. Milner Gibson and Mr. Barrow.

Bill read 1°

SUPPLY—NATIONAL DEFENCES.

On bringing up the Report of the Committee of Supply,

Sir GEORGE PECHELL said, the hon. Gentleman (Mr. Stafford) proposed to raise 2,000 men this year, and then the remainder were to be raised in April next, if they could get them. He suggested that if they could not raise sufficient men they should supply the remainder by boys.

Mr. STAFFORD said, this matter had been under the consideration of the Admiralty, and it was their wish to get as many boys as they could.

On the Vote of 14,000*l.* for Iron Ordnance and other Projectiles,

Sir GEORGE PECHELL said, there was some difference of opinion as to the number of guns and iron ordnance now lying at Portsmouth, Woolwich, and Devonport, and our various colonies. Now, in the Report of the Ordnance Committee of 1849, he found that at that time there were at Woolwich no less than 11,679 serviceable guns—great big guns, from a 13-inch mortar to a 9-pounder. At Portsmouth there were 1,456 guns serviceable; at Devonport, 927 serviceable; at Chatham, 333 serviceable; at Plymouth about the same number, and 549 obsolete guns; and

479 obsolete guns at Devonport. Now, when he looked at Gibraltar, which was reckoned to be our strongest fortress, he found there were only 600 guns there, and the cost of sending out a great many more guns to complete the armament, was only 8,015*l.* They were now called upon to vote 14,000*l.* Was this for a second Gibraltar? What could be their intention in asking for so large a sum, when in all parts of England there were no less than 14,961 serviceable guns; and, taking the repairable and unserviceable, no less than 23,963?

Resolutions *agreed to.*

TENANTS' COMPENSATION (IRELAND) BILL.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a Second Time."

Mr. Serjeant SHEE said, that, in bringing under the consideration of the House the course which he proposed to take with regard to this Bill and to another Bill on the same subject, which stood in his name on the Orders of the Day, he was anxious that the House should understand the circumstances under which he had undertaken a task of very great importance, and in discharging which he should need all its indulgence. The right hon. Gentleman the Attorney General for Ireland, in the very able exposition which he gave the House a few evenings ago of the new code of Landlord and Tenant by which he hoped to resuscitate the fortunes of his country, respectfully noticed the labours of an hon. Friend of his (Mr. Sharman Crawford) who was long a Member of that House, and to whose exertions towards bettering the condition of the agricultural classes in Ireland the right hon. Gentleman handsomely attributed, as the primary cause, much of the credit he anticipated from his own proposed measures towards the same object. He had no wish to depreciate the efforts of the right hon. Gentleman, or of those who, agreeing generally with him on this question, had gone before him on the same path. It were ungenerous, with these evidences of his learning and industry before him, not to thank him for the many hours of anxiety, snatched, as he had told them, from the rare leisure of a life of no ordinary toil, to be devoted to the intricacies of this question; but when he reminded the House that in the years 1835 and 1836, and again in 1843, 1845, 1848, 1850, and 1852, Bills were brought in by the late Member for Rochdale, recognising the principle of a tenant's property in his own improvements, and of prospective and retrospective compensation for them—a principle which was now tardily, and little more than nominally, but still irrevocably, admitted by the right hon. Gentleman—he thought that hon. Members would agree with him in thinking that, when any effectual measure regulating the relations of landlord and tenant in Ireland should be passed, no matter whose name might be on the back of it, the chief merit would be due to Mr. Crawford. It would be impossible for any man who was interested in the prosperity of Ireland, not to have been struck with the unwearied zeal, the entire self-devotion, the singleness, and singularity of purpose, by which the exertions of the hon. Member for Rochdale for so many years were marked. He was a man of large landed estate, familiarly acquainted with the duties, the rights, and the practical management of real property. On his first entry into Parliament he engaged in an endeavour which, if those who differed from him were to be believed, must seriously compromise his pecuniary interests as a landlord. He put forward a plan for the amelioration of the condition of his countrymen, the first clause of which contained a recognition, as belonging to others, of property to a large amount in the shape of farm-houses, farm-offices, and permanent improvements of every kind on his own estate. He contended that the law and custom of landed property in Ireland had produced a state of things so unlike the state of things in England and in Scotland, that he, and other proprietors circumstanced as he was, had no colour of honest claim to deal with such property as their own. He declared that, having practised what he preached, from the time he succeeded to his estates, he had thereby greatly advanced, not only the prosperity of those whom it had pleased Providence to make dependent upon him, but his own pecuniary interest. He demonstrated that the national disgrace of perpetual famine in Ireland, and of no remedy, as we were told by the right hon. Gentleman, being suggested for it by all the Committees which received evidence on the subject from 1819 to 1845, except the getting rid of the inhabitants of a not overpeopled country, would certainly be removed by the abundant employment and increased production which must result from securing to the cultivators of the soil an interest of property in the creations of their industry. He (Mr. Serjeant Shee) had read and studied Mr. Crawford's Bills, and the other Bills that had been from time to time brought into that and the other House of Parliament; and from his own experience and observation, which had not been inconsiderable in England, Scotland, and Ireland, and from the reports of Parliamentary Committees and the writings of economists, he had come to a conclusion on the subject—he came at last to the conclusion—that unless the Legislature of this country was prepared to break up the settlement of landed estates for the purpose of family provision, which was thought essential for the maintenance of the aristocratic element, and distributed the land on the death of the proprietor, they would never arrive at a sound and proper state of things. On further inquiry, he found that Mr. Crawford's Bill contained no provisions that had not been sanctioned by the accumulated wisdom of ages, or that were not comprised in the laws of all those States which had retained the jurisprudence of the Empire. In every line of the Bill there was a tenacious anxiety to guard against the slightest encroachment on the real and just rights of property; and he observed in all that Mr. Crawford said and did a steady adherence to the principle that nobody could call that his own which he had not either purchased, or inherited, or produced by the exercise of his skill and industry, or by the employment of his capital; and he could not help admiring his (Mr. Crawford's) worthy resolution not to surrender one jot of his honest convictions for the whiff of that which had led even honest men astray—the gale of popularity—than which nothing was more worthless when it was undeserved. It might be in the recollection of the House that during the last Session of Parliament a great many petitions had been presented in favour of the Bill known as Mr. Sharman Crawford's Bill, whilst not one, from any quarter, was presented against it. How concurrent was the feeling in Ireland with that Bill, and with the opinions of Mr. Crawford on the subject, must be well known to the House, from the fact that support of the Bill in question was made a test of public usefulness at the last election in Ireland, by large majorities in almost every borough, as well as by large bodies in every county there. He (Mr. Serjeant Shee) who had had the honour of being returned to that House by the county he now represented, was very soon afterwards called upon by a large and influential meeting assembled at Dublin, at which Mr. Crawford took the chair, and at which some fifty Members of that House were present, to take charge of the Bill during, what was hoped to be, Mr. Sharman Crawford's temporary absence from Parliament. He was as little disposed as any man could be to take, but a week after taking the oaths at the table, what might seem the unseemly part of assuming so prominent a position; but when he was asked by his constituency—when his consistency was in question, and when, if he held back, it could be urged that he, who was not altogether unknown, at least in the neighbourhood of the House of Commons, was unprepared to advocate in that House those opinions the expression of which elsewhere had gained him the highest honour to which an English or Irish gentleman could aspire—what then could he say, if his course had been "within the eye of honour" and of honesty before, but that he was prepared to do what was requested of him? He had ever been of opinion that it was unpardonable for a man who was ambitious of Parliamentary station, to broach before excited multitudes, on great social questions, opinions which he did not in his conscience believe himself able to justify in that House. Agitation out of doors, the ultimate object of which was not success for a worthy cause, after argument and discussion here, was in his mind not only mischievous, but criminal. But such was the ultimate object of this agitation; and he having been called upon so to do, brought this measure before the House with a true and loyal conviction that its principles were just and wise, conservative of all real rights of property, and conducive as well to the prosperity of Ireland as to the peace, strength, and prosperity of the Empire. As long as he could recollect—as most Members could recollect—the misery of the people of Ireland had occupied in every Session a large portion of the attention of the House; and no man who knew anything of England or Scotland could doubt that Englishmen and Scotchmen earnestly longed for an assurance of the happiness of their Irish fellow-subjects. But how came it after all that their benevolence failed so lamentably of its results—that they could not travel a stage in later Irish history without seeing some unsightly mark, some bulwark raised in haste against the tide of social disorganisation in that country—that they could not look into our Irish legislation for the last fifty years without perpetually meeting with an Insurrection Act, or a Suspension of the Habeas Corpus Act, or a report of a Committee on Outrage—that almost every Speech from the Throne spoke of turbulence and insubordination in Ireland, the resolution of the Government to enforce existing laws, and the demand for more stringent enactments, in constant juxtaposition with the announcement of Bills to be considered, or congratulations on Bills that had been passed for enlarging the civil and religious liberties, or improving the condition of that country? Why is the gaunt spectre of Irish misery to be for ever attendant upon Her Majesty when She meets Her Parliament? The industry of Ireland, owing to the superior wealth and commercial enterprise of England, was confined in the main to agriculture. The farmers and peasants of France, Belgium, Norway, Prussia, Lombardy, Switzerland, and the Channel Islands, were prosperous and contented—not so those in Ireland. The traveller passing rapidly from the south or west of Ireland to Scotland or England, would find his heart cheered and gladdened by the comparative prosperity. Waking as from a trance in the Lowlands, or Perthshire, or in the heart of England, he would be amazed at the vast difference in the content and happiness of these classes. Everywhere, except in Ireland, whether the Government be democratic, or monarchical, or constitutional, the just earth supplies to labour enough for the enjoyment of superior station and the comfort of humble life, except in Ireland—in three Provinces of which, almost within sight of the shores and with ready access to the markets of the wealthiest people of the earth, all is difficulty and struggle, a frightful contrast between the luxury of the few, and the hunger and nakedness of the many—property without security, industry without encouragement, commerce without credit, cultivation worse than neglected, a restless longing for new things at home or new fortunes beyond the seas; besides all which, agrarian injustice, agrarian discontent, and all the horrors of agrarian crime. It was vain then to conceal from themselves that an ulcer corrodes the vitals of Irish society, which mocks our legislation, which our remedies have, and which the mere consolidation of statutes, however cunningly contrived, the increase of leasing powers, or the giving to tenants of illusory guarantees for property in their own improvements, will fail to reach. What then was the remedy? Sometimes they were told that the cause of all this was an ineradicable taint in the blood—a sort of moral scrofula—which disabled all the Celtic race from persevering toil or profitable labour; but then there was the difficulty of the French and of the Scotch, and the objection that Celtic blood entered largely into the compound of that wonderful amalgam, called the Englishman. Sometimes they were told that the religion of Ireland was the cause. But the Catholic religion was the religion—and in their palmiest days—of Spain and of Portugal, when they were mistresses of the Indies; the Catholic was even now the religion of France and of Belgium, and of the Rhenish provinces of Prussia—of Lombardy and of all those countries which they were told the other day by the hon. Member for Surrey, so much excelled the English in all that related to the arts which adorn and illustrate life, and to whom the pursuits of agriculture furnish the means of comfort in every gradation of society. There must, therefore, he thought, be some other cause for the misery of Ireland than her religion. Perhaps he had not correctly understood the right hon. Gentleman, who, he imagined, had been flirting with Mrs. Fry; but he could only make out from him that the cause of the unhappiness and misery of Ireland was something which happened in the time of Sir John Davis—which was in the reign of Elizabeth and James I.; and that then some inconvenience arose from the system of middlemen. But the right hon. Gentleman did, with the assistance of his amiable Colleague, arrive at the conclusion that the remedy for whatever the something might be, was increased employment, increased encouragement to industry, and (he thought the right hon. Gentleman said) the removal of every description of religious distinction. But other people took a different view of the causes of the wretchedness of the sister country. All the foreign writers who had thought and reasoned on the subject, and all the English economists on whose judgment any reliance was to be placed, ascribed the distress of the people of Ireland, and the extent of their misery as compared with that of the people of foreign countries, to the existence, in those foreign countries and in England, of what was wanting in Ireland, the motive to industrial exertion which an interest of property in the soil, or inseparable from the soil they cultivate, gives. They told us, with Arthur Young, that the magic of property was capable of converting a barren waste, almost a rock, into a garden; that land was only improved by those who had an interest in improving it; that by such only was the largest amount of produce ever extracted from the soil, the largest quantity of labour employed upon it, or the largest amount of custom given to the shopkeepers, tradesmen, and artisans of our country towns; that such people and their children were the best educated, the best clothed, the most observant of restraint in matters that concerned their permanent welfare, the most attached to home and country. But without this, they saw a country peopled by a brave race, temperate, attached to their homes, moral, and religious, reduced to such a condition that our neglect, and its consequence, the perennial misery of Ireland, were a reproach to Englishmen all over the world. All this Mr. Mill, in his *Political Economy*, had condensed, when he told us, after comparing the state of the cottier and the farmer of Ireland with that of the cultivator of the land in every phase of his relation to the soil in other countries—with the slave in the West Indies, the serf in Russia, the ryot in the East, the metayer of Tuscany and of Portugal, and the free labourer in England; that "the Irish farmer and cottier is alone among mankind in this condition. If he be industrious and prudent, nobody but his landlord gains; if he be lazy and intemperate, it is at his landlord's expense." If that were true, the whole mystery of Ireland's misery was solved. Was it true—not now merely after the occurrence of a calamity which would have prostrated the energies of any nation upon earth; but had it been true during the length of years that Ireland had been a shame to England? Could they, upon this authority, account for the difference in the condition of the cultivator of the soil in Ireland, and in those other countries he had mentioned? He, and those who thought with him and Mr. Crawford, thought they could. But he passed over that inquiry for the present, because the farmers who live in comfort abroad are in great part small proprietors, holding the land they till at fixed rents, as their own for ever; and the measure he wished to substitute for the Bill of the right hon. Gentleman did not propose to do for the Irish farmer and peasant — and this it would be well for English gentlemen of property to recollect—what was done by the first French Revolution at such a fearful cost of blood and suffering; they did not propose to do for the Irish peasant and farmer what was done for Austria by the Emperor Joseph and Maria Theresa; they did not propose to do for them what was done by Stein and Hardenberg for Prussia; they did not propose to do for them what the Swiss peasants had done by their wise economy, and prudence for their own cantons; they did not propose to convert them, as their brethren in the same rank of life abroad were converted, in consequence of evils similar to those which had been deplored in that House for fifty years, into peasant proprietors. He, and those who thought with him, believed the existence of the tenant-right accounted for the difference which existed between Ulster and the other three Provinces; and the object of the Bill brought in by Mr. Sharman Crawford, which had made a tardy convert of the right hon. Gentleman, was to legalise in Ulster that which had been the cause of the prosperity of Ulster, and to extend it, less its abuses, to the rest of Ireland. It was common with those who opposed this measure in Ireland to attempt to bugbear its advocates by saying it would excite the hostility of the English landed interest in that House. He was not afraid of any such result. His life had been spent among Englishmen; and he said, that if a fair and just tribunal was wanted for a humble man, or for a class of such men, they could not find a better than a jury of English gentlemen. He was satisfied that if he had a good case to present to them he would get a verdict in his favour; and he believed he could satisfy the House that the disease which afflicted Ireland was the direct result of exceptional laws and customs in Ireland, which could have no existence in this country, and that they were as much interested in the remedy as in the case of any social evil which affected their own condition. He would satisfy them, also, that the cause of Irish misery and distress was one they could remove, if they would, without in any way violating the rights of property, on which, he admitted, all society must depend, by the simple application of well-known principles of jurisprudence, which had succeeded in every place where they had been tried, and would succeed in Ireland. And here he could not help observing that the right hon. Gentleman in his elaborate speech had carefully avoided, or had forgotten, the very point on which the question between him and Mr. S. Crawford turned, and which was contained in the maxim *Quicquid solo plantatur solo cedit.* That maxim was taken from the Civil Law, and had been adopted with various qualifications and restrictions in the codes of all modern countries. According to the Roman Civil Law, the man who let a farm on any but a plantation or improving contract, let it with all the appliances and conveniences necessary to enable the tenant to carry on the business of cultivation. The landlord was bound, in the first instance, to deliver up the possession of the farm in a fit condition to serve the purpose for which it was taken, and to keep it, as respects permanent improvements, in good condition during the term; and the tenant was entitled to be reimbursed the expense of any necessary repairs or charges to which he had not bound himself by a lease, or by the custom of the country. He was also entitled to remove from the land the improvements or fixtures he had made; or, in case they were incapable of removal, and they had increased the revenue of the farm, he was entitled to be reimbursed the entire value of them on being dispossessed. By the law of Scotland, in the letting of farms a warrandice was implied on the landlord's part to make the subject effectual to the tenant—the dwelling-house fit for the occupation of his family, the stables and byres for the reception of cattle, the barns for grain; and if through decay or lapse of time, without undue negligence, they fall into disrepair, they must be rebuilt by the landlord. The tenant was also entitled to be remunerated if of his own accord he undertook to effect such improvements as were absolutely necessary. In England the rule of the civil law had been established; but with the qualifications necessary to its adaptation to the exigencies of agricultural enterprise, and the promotion of justice between man and man. Agricultural fixtures are, or were until lately, irremoveable; but the invariable practice was that all buildings and permanent improvements should be made and kept in repair at the landlord's cost; and that for any further outlay incurred by the tenant, and necessary for good husbandry, which had not been exhausted, or was inexhaustible, he was paid according to the custom of the country.

It would be needless to detain the House by reminding it how beneficially this system worked in encouraging the application of capital to land, and in preserving the land itself in good heart and condition. The confinement of real property to few hands lost all, or nearly all, its evil by such arrangements. A man may take a farm for any time long enough to allow two or three rotations of crops without imprudence. Husbandry became a trade carried on with all the advantages which free and easily disengaged capital gave to the adoption of the suggestions of science, and of those modes of manuring and refreshing land which look to the result of several seasons for their reward.

But in Ireland, from the time of the Restoration—as respects three of its provinces—a literal translation of the rule of the civil law had been in force, without those qualifications of usage and of duty on the part of the landlord, which in other countries made it tolerable. The right hon. Gentleman traced the unhappy condition of the agricultural classes of Ireland to the days of Sir John Davis—the reigns of Elizabeth and James the First, ignoring the long interval between them and Mr. Pitt. The wars and confusion of those times were no doubt the cause of much misery, but the real origin of the evils which they now deplored would be found in the wicked policy of the Act of Settlement, and of the laws which were passed to perpetuate the wrongs it legalised. The superficial contents of Ireland were calculated at about 12,000,000 of Irish acres. Of these, between the years 1640 and 1695, 9,000,000 changed hands by confiscation. The Irish Parliaments, in the reign of Charles II., of William and Mary, of Anne, and of the first two Princes of the House of Brunswick, was composed, in the main, of those new proprietors under the Act of Settlement, and of their immediate descendants, and the laws passed by them indicated in every line the feelings of men who lived in dread of the old Irish and Catholic interests rising up once more. They were, in fact, governed in their actions by the dictates of a merciless fear. They thought it necessary, however, to find some pretext for disqualifying the great body of the Irish people in the eyes of Englishmen for the enjoyment of equal rights, and this they found at a time when the English were frenzied by their dread of Popish plots in the religion of Ireland. They found that pretext in the religion of the people. They passed laws professedly to prevent the growth of popery, but really to keep down the native inhabitants, and to render it impossible for them ever to rise and assert the rights of which they had been despoiled. There was one law by which it was enacted that no Papist in Leinster, Munster, or Connaught should be capable of holding land for any term exceeding thirty-one years, and on which three-fourths of the yearly value was not reserved for rent. The House need not fear from him any dissertation on the Penal Laws: "sufficient for the day was the evil thereof;" but he might be allowed, perhaps, to give some idea of the practical degradation to which the Irish people were reduced by the operation of these laws, some of which were in force in the lifetime of Members of that House. It was in order to relax the severity of some of these laws that the 21st of *Geo.* III. was passed, which recited that, whereas by the 8 *Anne*, c. 3, it was enacted "that Papists are not qualified to keep any horse, or mare, or gelding above 5*l.* value, which has been found prejudicial so far forth as the same relates to stud-mares, be it enacted that no stud-mare, kept for breeding only, nor stallion kept for such and for no other use, shall be deemed or taken to be within the intention of the Act entitled an Act for the better securing the Government by disarming Papists; but that every Papist and reputed Papist may keep such stud-mares and stallions, notwithstanding the said Act or any law to the contrary, and the breed or produce thereof, under the age of five years and otherwise." This Act, of which the provisions were thus mitigated, remained in force until the 21 & 22 *Geo.* III., c. 24, s. 12. The notion of building dwelling-houses or farm offices, after the fashion of England, for people for whom such laws were made, or encouraging them by profitable tenures to do such things for themselves, was quite out of the question; and a policy, originating in fear and hate of a plundered race, became the normal principle which regulated the arrangements between the owners and occupiers of the soil; and it was clear from the statute books that up to the middle of the reign of George III. it was the settled and sternly meditated resolve of the anti-Irish Parliament, which sat in Dublin during the greatest part of the last century, that the great body of their countrymen should be denied all interest in the land they cultivated, should be confined to the coarsest subsistence, the worst clothing, and the most wretched habitations possible. Swift, in 1729, remarks—

> "Upon the determination of all leases made before 1690, a gentleman thinks he has but indifferently improved his estate if he has only doubled his rent-roll. Leases are granted but for a small term of years. Tenants are tied down to hard conditions, and discouraged from cultivating the land they occupy to the best advantage, by the certainty they have of their rent being raised on the expiration of their leases proportionably to the improvements they shall make. Thus it is that honest industry is depressed, and the farmer becomes a slave to his landlord."
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> "The Catholics," says Lord Taafe, in 1766, "keep their farms in a bad plight, as they are excluded by law from durable and profitable tenures."
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> "If a Papist," says Lord Macartney, in 1773, "becomes a farmer, he shall not cultivate or improve his possession, being discouraged by the short limitation of his tenure; and yet we complain of the dulness and laziness of a people whose spirit is restrained from exertion, and whose industry has no reward to excite it."

Some sixty years ago the laws were altered. But the system had become inveterate; the disqualifying Acts were modified and sent to Ireland, and forced through the Irish Parliament by the influence of the English Government against the wishes of the great body of the Irish proprietors, and they adhered to the old system; they continued to let their lands at high rents; to allow no tenures to the wretched people who cultivated the soil; they did everything to retain the old system which had prevailed under the penal laws. Their mortgages, their family settlements, their jointures, and provisions for younger children, were all arranged on the assumption of their continuance. The people, awed by the power of England, bent their necks to this oppression. They resigned themselves to live on potatoes and milk, or potatoes and water, sharing their resting-place with the brute, and leaving to the few proprietors by whom the land was engrossed, in nearly all that it produced, the means of competing at the seat of empire, for the favours of the Crown, with the proudest of our English nobles, and of vieing in all the capitals of Europe with the magnates of the land. Though the laws were subsequently altered, yet things had changed very little. He found in a work purporting to be a statistical survey of the county which he had the honour to represent, and written in the year 1802 by Mr. Tighe, [the father of the present Lieutenant, the following description of the condition of the people of Ireland, which was true to this day of every part of the south, west, and east of that country:—

> "The bad state and deficiency of the agricultural buildings, and the unimproved condition of many farmers, may arise from various causes. Firstly, nothing is ever built or repaired by the landlords. These expenses, as well as those of every other improvement, are left to the tenant, who generally comes into a dilapidated building, without capital to stock it, still less to build, fence, or drain. Secondly, there is generally a want of confidence between the landlord and the occupier. Thirdly, there is generally in the tenant a disposition to make that answer which has answered in some degree before; and if it fails, then to look for a temporary shift, which he thinks will do well enough."

That was written in 1802; and see what the Devon Commissioners said in 1845:—

> "The general, or almost universal, topic of complaint brought before us in every part of Ireland was the want of tenure, to use the expression most commonly employed by the witnesses. The uncertainty of tenure is constantly referred to as a pressing grievance by all classes of tenants. It is said to paralyse all exertion, and to place a fatal impediment in the way of improvement. We have no doubt that this is the case in many instances; and although it is certainly desirable that the fair remuneration to which a tenant is entitled for his outlay of his capital or of his labour should be secured to him by voluntary agreement, rather than by compulsion of law, yet, upon a review of all the evidence furnished to us on this subject, we believe that some legislative measures will be found necessary in order to give efficacy to such agreements, as well as to provide for cases which cannot be settled by private arrangement. We are convinced that in the present state of things no single measure can be better calculated to allay discontent in Ireland, and to promote substantial improvement throughout the country. It frequently happens that large estates in Ireland are held by the proprietors in strict limitation; and their pecuniary circumstances disable many of even the best-disposed landlords from improving their property, or encouraging improvements amongst their tenantry, in a manner that would conduce at once to their own interest and the public advantage. It is admitted on all hands that according to the general practice of Ireland, the landlord neither builds dwelling-houses nor farm offices, nor puts gates and fences in good order before he lets the land to a tenant. In most cases, whatever is done in the way of building or fencing is done by the tenant; and, in the ordinary language of the country, dwelling-houses, farm buildings, and even the making of fences, are described by the general word, 'improvements.' The cases in which the landlord does these things are the exceptions."

In a work published at a still later period he also found it stated by Messrs. Ferguson and Vane that with very few exceptions all improvements were done by tenants. In the report of the Devon Commission there were twenty-one or twenty-two landlords mentioned, who had adopted the English practice of improving their own estates; but, generally speaking, the state of things had been such as he had described it, up to the present time. It was a state of things which originated in the unfortunate alarms of men who had possessed themselves, with the assistance of the power of England, of the properties of the native inhabitants of Ireland, and who felt that it was necessary, for the security of their own titles, to keep the people down. It was a system which had influenced up to this very day the arrangements between the landlord and tenant in Ireland, although the letter of the laws in which it originated had long since been repealed. This was the difficulty with which they had to deal. The present state of things in Ireland had grown up at a time when the body of the people were spoken of in the common parlance of the gentry of that country as a common enemy. A system had grown up at that time, and all arrangements of property had been made on the footing of its continuance—that is, on the footing that the landlords were to have the whole of the produce of the soil, except just so much as would enable the body of the people to reproduce a revenue; and at the present day many landlords who were disposed to do what they could for the improvement of their estates, were so disabled from doing any good by the family settlements and judgments on them, that they were powerless in the matter. The people were crushed to the very earth, and were reduced to live upon potatoes and milk, or upon potatoes and water; their condition, in fact, was such that it was dreadful that Englishmen should have known of it so long, and yet have taken no effective measures to provide a remedy. The Devon Commissioners had divided the houses in Ireland into four classes, the fourth class consisting of those which contained but one room, and in almost every county of Ireland the houses of that class formed 40 or 50 per cent of all houses. Every cottier was for the most part a tenant at will, having probably a notice to quit in his pocket—for in many parts it was the custom of the landlord to print upon the back of the receipt for rent a notice to quit, so that, in fact, they were not tenants from year to year, but tenants-at-will, and might be evicted at any time in the name of the landlord by the landlords' creditors—for he was willing to do the landlords the justice to say, that in nine cases out of ten they were as innocent of the evictions as babes unborn. It was the landlords' creditors who compelled them to evict their tenants, and to do things which they would be unwilling to do of themselves. Under these circumstances he would ask, what motive had the tenant at will to improve, or to invest his little capital in the soil? What security had he, if he did so, that the landlord, or the landlord's son, or the landlord's creditor would not instantly double or treble his rent, on account of his improvements? If he improved at all, he must do so in a niggardly and grudging way, in uncertainty whether it would not be better for him to invest his savings in the savings bank, or to hide it in the thatch of the cabin, rather than to risk his all on a debenture so unsafe as the landlord's prudence, solvency, justice, or generosity. In fact, tenants never or scarcely ever did make improvements; and for want of improvements on the farm there was no employment for labourers, and everything went to ruin. In Ireland they saw none of the cheerful homesteads which were scattered here and there and everywhere over England. The village trades of carpenter, and wheelwright, and mason, which flourished in England, drooped and died in Ireland. In every county in the south, and east, and west of Ireland, even in the comparatively prosperous county which he represented, the condition of the farmhouses, and villages, and county towns would bring a blush to the cheek of every Scotch and English proprietor: the cottier inhabitants of Ireland seemed not to be under the same Government, and scarcely in the same world, as the English. Many instances there no doubt were in most of the counties of Leinster, and to some extent also in Munster and Connaught, of tenants who, relying on the character of the families under which they live, have invested considerable sums in permanent improvements of their farms;—instances, also, thank God, of just and honourable men among the Irish proprietors, who would submit and have submitted to every sacrifice of state or comfort, rather than disappoint the confidence placed in them. Unfortunately, however, as is observed in the Report of the Devon Commission, "one instance of wrong done by a landlord to an improving tenant, will paralyse for years the industry of an extensive district." Things of the kind (said one of the witnesses, the Rev. Mr. O'Sullivan) that have occurred twenty or thirty years ago, will be given in reply, when upbraiding them for not improving their farms. It may be said, "Why don't the Irish landlords do as the English landlords do? The statute law of landlord and tenant is substantially the same in both countries—why should the practice differ?" The answer is, They can't; they are disabled by their judgments and family settlements.

The penal laws, as was well explained to the Committee on the Irish Poor Laws by the hon. and learned Member for Youghal (Mr. Butt), were little less prejudicial to the Protestant proprietors than the Catholic tenants. An English proprietor who wants to borrow money must part with his title-deeds, or convey the legal estate in his property to his mortgagee. He can seldom borrow more than two-thirds of its value. But in Ireland, when the denial of all interest in land to the body of the people had driven the Catholics of superior station to commercial pursuits, and they had amassed money which it was convenient for the ancestors of the now encumbered estates to borrow rather than relax the Popery code by permitting Papists to be mortgagees—they altered the law of judgments, making them assignable—and thus enabled landed proprietors to obtain advances to the full value, and beyond the full value, of their properties. Besides, the English proprietor inherits a furnished estate, the Irish proprietor an unfurnished one. It has cost a number of generations a vast sum of money in each case to furnish the settled estates of England with the conveniences required for the comfort and well-doing of the tenantry upon them. The English landlord lets to his tenant not naked land, but land enriched by the capital which has been hoarded in buildings, in fences, in drains, and in all the elements of fertility, for years before he was born. The Irish landlord, almost always tied up by strict settlement, who attempted to imitate his example, would soon fall. There is no such hoard upon the estate of the proprietor in Ireland. Every shilling of its produce has been spent by him, and those whom he has succeeded, as it came, or before. In nine cases out of ten he is little more than the receiver of the rents of his own estate. His very agent or bailiff is often a receiver of his rents for other people. They belong to monied men and London bankers, whose debts are duly registered in Dublin, or to the most inexorable of all creditors—widows and children. Remitted they must be, however they are obtained, and acts of hardship and cruelty are often perpetrated in desperate attempts to improve the rentals of exhausted properties, and in the name and with the authority of landlords, which none regret more than themselves. The result upon the whole, is, that in the greater part of Ireland nobody improves properly—few improve at all. The condition of the farmers and their farm-houses, the labourers and their cottages, the tradesmen and their dwellings in the villages, would bring a blush, were he responsible for it, upon the cheek of an English or Scotch proprietor. I am well acquainted with the state of things in several counties of England and the north of Scotland. All that is within the park walls, the mansions, the gardens, and the pleasure-grounds, are nearly on a par in both islands; but once out of the lodge gate, and beyond the ornamental cottages which you must pass to get to it, the contrast is great indeed. A man passing rapidly for the first time, as I often do from the county I have the honour to represent into East Kent, would hardly believe that the people of the two countries were living under the same Government, subjects of the same Crown, inhabitants in the same age, of the same world. In England, the village trades of carpenters, masons, smiths, wheelwrights, bricklayers, slaters, plasterers, tailors, boot and shoemakers, are all sustained by the wealth which the occupation of ready furnished and highly improved farms leaves at the disposal of the cultivator. In Ireland that wealth does not exist. The employment of an enormous amount of labour, and the creation of an enormous amount of property, has been prevented by the absence of all encouragement to industry, and much property which has been created by the tenants and is now visible on the land, is there without any security but such as it may derive from what, by a strange confusion of terms, has been called "the wild justice of revenge," that is, from crimes, at the thought of which the blood runs cold. The original cause of this deplorable state of things in the southern provinces had exercised little influence on the agrarian economy of the northern Provinces. The Presbyterians of Ulster had not been tied down by uncertainty of tenure as the tenants in the other parts of Ireland. Their staple manufacture had been fostered and encouraged by the laws, and a usage, founded on the soundest principles of jurisprudence, was established there, which has hitherto saved, and will continue, if it obtains the guarantee of Parliament, to save the people of Ulster from the calamities which afflict the rest of Ireland. But, before I proceed to advert to the condition of Ulster, and to the tenant-right custom there established, I hope the House will permit me, in support of what I have said and am about to say, to read a passage adverted to, but not read by, the right hon. Gentleman, from the writings of the greatest of our political philosophers, the prince of Conservative statesmen, written more than eighty years ago, but in which the then and now existing state of things, its causes, its remedy, and the original of its corrective in Ulster, are more accurately and graphically described than in any of the modern treatises and reports which have come under my notice. On questions relating to Ireland, the works of Mr. Burke are a reservoir of statesmanship and of wisdom; but on no question are the lessons which he has left us so clear and so full as this:—

> "The laws have disabled three-fourths of the inhabitants of Ireland from acquiring any estate of inheritance for life or years, or any charge whatsoever on which two-thirds of the improved yearly value is not reserved for thirty years. This confinement of landed property to one set of hands, and preventing its free circulation through the community, is a most leading article of ill policy; because it is one of the most capital discouragements to all that industry which may be employed on the lasting improvement of the soil, or in any way conversant about land. A tenure of thirty years is evidently no tenure upon which to build, to plant, to raise inclosures, to change the nature of the ground, to make any new experiment which might improve agriculture, or to do anything more than what may answer the immediate and momentary calls of rent to the landlord, and leave subsistence to the tenant and his family. The desire of acquisition is always a passion of long views. Confine a man to momentary possession, and you at once cut off that laudable avarice which every wise State has cherished as one of the first principles of its greatness. Allow a man but a temporary possession; lay it down as a maxim that he never can have any other, and you immediately and infallibly turn him to temporary enjoyments; and these enjoyments are never the pleasures of labour and free industry, and whose quality is to famish the present hours, and squander all upon prospect and futurity; they are, on the contrary, those of a

thoughtless, loitering, and dissipated life. The people must be inevitably disposed to such pernicious habits, merely from the short duration of their tenure which the law has allowed. But it is not enough that industry is checked by the confinement of its views; it is further discouraged by the limitation of its own direct object, profit. This is a regulation extremely worthy of our attention, as it is not a consequential, but a direct discouragement to amelioration, as directly as if the law had said in express terms, 'Thou shalt not improve.' But we have an additional argument to demonstrate the ill policy of denying the occupiers of land any solid property in it. Ireland is a country wholly unplanted. The farms have neither dwelling-houses nor good offices; nor are the lands almost anywhere provided with fences and communications; in a word, in a very unimproved state. The landowner there never takes upon him, as it is usual in this kingdom, to supply all these conveniences, and to set down his tenant in what may be called a completely furnished farm. If the tenant will not do it, it is never done. This circumstance shows how miserably and peculiarly impolitic it has been in Ireland to tie down the body of the tenantry to short and unprofitable tenures. A finished and furnished house will be taken for any term, however short; if the repair lies on the owner, the shorter the better. But no one will take one, not only unfurnished, but half-built, but upon a term which, on calculation, will answer with profit all his charges. It was on this principle that the Romans established their *emphyteusis*, or fee farm. For though they extended the ordinary term of their location only to nine years; yet they encouraged a more permanent letting to farm, with the condition of improvement as well as of annual payment on the part of the tenant, where the land had lain rough and neglected; and therefore invented this species of engrafted holding in the later times when property came to be worse distributed by falling into a few hands."—[*Tracts on the Popery Laws.*]

If they surveyed this passage carefully they would find the cause of the misery of the south, west, and east of Ireland, and of the prosperity of Ulster; and he (Mr. Serjeant Shee) thought that they would also find unanswerable arguments against the scanty measure of relief that was proposed by the right hon. Gentleman the Attorney General for Ireland. And it should not be forgotton that, of all men that ever lived, Mr. Burke was the one who was least inclined to humoursome change, the most opposed to social experiments, and the least anxious to disturb those arrangements of property which maintain in a mixed constitution the influence of the privileged classes. Antiquarians and pamphleteers have perplexed themselves in their endeavours to account for the origin of the Ulster tenant-right; but it appears to me to have been unaccountably overlooked. What was that "engrafted holding"—that "letting with condition of improvement of lands lying rough and neglected, invented in the later times, when property become worse distributed by falling into few hands," which is thus fetched by the wise man from the storehouse of his learning for our guidance and instruction? Sir, it was in all its essential features the contract between landlord and tenant under the usage of Ulster—it was what Mr. Crawford proposed by his Bills—what I propose by the Bill which stands on the Order-book after those of the right hon. Gentleman, to protect and legalise in Ulster, and extend, less its abuses, to the rest of Ireland. The jurisprudence of Scotland is founded on the jurisprudence of Rome. The Roman law of civil plantation must have been as familiar to the Scotch advisers of the Scotch Prince by whom the Ulster plantation was established, as the law of copyhold is to the English lawyers of the present day. The circumstances of the district to be planted were precisely those to which the Roman law of plantation would apply. The escheated lands had been wasted by the devastation of civil war; they were parcelled out by the Crown among a small number of undertakers at quit rents of mere acknowledgment, on the express condition that they should found a "civil plantation" upon them. The plan, as described by the articles of plantation, was to allure Scotch and English settlers to plant and build houses upon, and improve the lands at their own expense (wood only being found by the Crown) by low rents—much lower than might have been obtained from the natives. The tenants, by the express articles of the plantation, were to have, at low fixed rents, estates for life, for years, in fee or in tail, on condition of improvements being made by them. Had those articles been observed to the letter by the undertakers, the Ulster plantation would have been regulated as between the undertakers and the tenant farmers by a law differing in no material particular from the Roman law of plantations. That this was the intention of the founders of the plantation, and the sense in which they used the word plantation, is plain, from the course adopted by the advisers of the Crown a few years after its establishment. Some time afterwards, in 1615, a Commission was sent over to inquire to what extent the articles which prohibited the undertakers from demising any portion of their lands at will, and enjoined them to make to their tenants certain estates for life, in tail, or in fee-simple at fixed rents, had been observed. Sir Nicholas Pynner, one of the Commissioners, reported that in many cases the articles had been broken, and no estates granted by the undertakers. This report was shortly after followed by an information filed in the Star Chamber, A.D. 1637, against the Irish Society and some of the London companies—the result of which was a judgment of forfeiture against the companies, because they had not complied with the plantation articles, but let their lands to the highest bidders, without condition of improvement, and without a fixed tenure or a certain rent. It was easy to understand how the example thus made of the more flagrant defaulters, would influence those of less mark in their dealings with their tenants. It was the policy of the undertakers to pacify and content the planters. Men who fairly enough considered themselves exempted from those obligations of improvement which are acknowledged by English and Scotch proprietors, and who had disregarded the letter of the articles in the letting of their lands, dealt with their tenants as if they had given them certain estates at fixed rents, and on the well-known principles of a plantation contract. How else was it possible to account for the identity of all the incidents of a tenure according to the Ulster usage, with the incidents of a plantation tenure under the Roman law?

It might be said that the contract of letting to plant, in the Roman law, was by written agreement, *scriptura interveniente*—and so it would have been in Ulster had the articles of plantation, which required a letting by indenture, been observed. Sir Nicholas Pynner reported that many of the undertakers put him off with verbal assurances, but refused to show their "counterpains." The articles being thus violated, and the undertakers at the mercy of their tenants, a usage grew up, and, recommending itself by its manifest equity and convenience to both parties, gradually extended beyond the original limits of the plantation, with reference to which, in the hiring and letting of unfurnished land, proprietors and farmers contracted. He was quite at a loss to understand on what principle a court of law or equity could refuse, if properly brought before it, to give effect to such a usage. In our law no maxim was better established than the maxim, *In contractibus tacite insunt quœ sunt moris et consuetudinis.* The doctrine of Lord Ellenborough, in the case of Elwes *v.* Mawe, in which it was decided that the tenant's privilege with respect to fixtures set up for trading purposes, does not extend to those set up for agricultural ones, had been reflected upon by Mr. Amos and Mr. Smith among the best writers on the English law of fixtures, and by Mr. Caulfield Heron, Professor of Jurisprudence and Political Economy in the Queen's College, Galway, in a very able paper lately read by him to the Statistical Society of Dublin—in which the question, whether the improvements made by a tenant of land in Ireland ought to be declared the tenant's property, was learnedly discussed and decided by him in the affirmative. The rule had always been relaxed in submission to a well-ascertained usage. Thus Lord Kenyon not only asserted the right of nurserymen to remove trees from the freehold, but also greenhouses and hot-houses erected for the purposes of their business. On the same principle, the other day, on proof of a usage of only twenty years' duration in Lincolnshire, for a tenant to increase and enrich the soil of his farm by the addition of marl, he was held entitled, when outgoing, to receive its value: so, again, where a tenant had laid down drains, necessary for proper cultivation, he was held, as against the landlord, entitled to be paid for them; and if it could be clearly shown that the relation of landlord and tenant had been established in a district in which the Ulster usage prevailed, the tenant having, with the knowledge of the landlord, laid out money in permanent improvements, or bought them from a former tenant, and that the landlord refused to permit him to sell them to a solvent substitute, without doubt the landlord might be compelled to pay for them: at all events, it was impossible to refer to any usage, mercantile or agricultural, resting upon sounder principles, or supported by more respectable antiquity. It made one hang one's head for shame, to hear (as he had heard during the debate of last Session) men of birth and station, of whom it might be hoped that they would rather "coin their hearts, and drop their blood for drachmas, than filch from the hard hands of honest tenants their vile trash by any indirection," relying upon a schoolboy translation of the maxim, *Quicquid solo plantator solo cedit;* and lawyers forgetting themselves to the extent of imputing to an endeavour to legalise such a usage against those who would set it at nought—a violation of the rights, an encroachment on the landmarks of property. They know better. The plantation contract, regulated by the same principles as those established by the articles and the usage of the Ulster Plantation, was classed by eminent civilians as *juris gentium*—that was, among the obligations which, on account of their intrinsic equity, and their conformity to human wants and practice, all mankind have agreed to recognise. Property had no rights which were inconsistent with natural justice and the general well-being of the community. But, so far from derogating from the rights of property, as, before the introduction of peasant proprietaries, they were familiarly understood in all the States in which the jurisprudence of the Empire was adopted, this usage was nothing more, as Mr. Burke and Domat inform us, than was invented fourteen hundred years ago, by landlords and landlord lawyers—when "land had become worse distributed by falling into few hands"—for the express purpose of mitigating the manifest evils of a land monopoly, and to reconcile the gratification of family pride in large family possessions with protection for the inalienable rights of industry, without which no country could hope to prosper.

Under this Ulster usage property to a vast amount had been accumulated by the tenants upon their farms. Originally established, it would seem, in Donegal, Tyrone, Derry, Cavan, Armagh, and Fermanagh, it had extended itself to Antrim, Down, and Monaghan—it had been dealt with as property under the landlord's eye—in his office with his full assent—in repeated sales of farms, with their improvements—and in all kinds of settlements and family arrangements. It had swelled the amount of compensations assessed by the sheriff and jury against railway companies. Again and again it had been bought by the landlord himself of his outgoing, and sold again to his incoming, tenant. His own rents had been enhanced by the improved system of cultivation which it had engendered. They had it upon the evidence of Mr. Prentis—[*Report of Devon Commission*]—the agent of Lord Caledon, that his Lordship, wishing to enlarge his park in the county of Tyrone by the addition of 150 acres, bought the tenant-right of them from his own tenants-at-will, for 12*l.* per acre, and this not as a matter of liberality, but in honest deference to the custom. Indeed, until about ten years ago, the landlord never dreamt of defeating it—of refusing the substitution of a solvent tenant—or of raising his rent beyond his fairly-ascertained share of the increased value contributed to the fee by the tenant's improvements. When the attempt was first made, it was made in a timid, wary, and stealthy way, not disputing the principle, but protesting against its abuse, and offering terms of compromise. In some instances, no doubt, the sale, of enhanced value by reason of industrial improvement, had degenerated into a claim of a right to sell the mere good-will—a value of which the tenant had not been the meritorious cause, and which had no existence but in the landlord's liberality. These questions rather confirm the usage than throw doubt upon it. But since the ports were opened and the prices fell, a question had presented itself to the pride and cupidity of some Ulster landlords, the practical solution of which demanded the intervention of the Legislature. The question was, "Shall I reduce my rents and my establishment according to the fall of prices; or, by keeping up my rents, confiscate my tenants' improvements, destroy the tenant-right on my estate, and with it the independence of my tenants?" The temptation to a dishonest man, or a needy man, a proud or a vindictive man, to decide that question in his own favour, was too strong to be always resisted. But unless Ulster was to vie with the other districts in the mode of vindicating disputed rights, they must be compelled by Parliament to resist it. Mr. Hancock, the intelligent agent of Lord Lurgan in the county of Armagh, after tracing the existence of the custom to the articles of the Ulster Plantation says—

> "It is one of the sacred rights of the country which cannot be treated with impunity; if systematic efforts were made amongst the proprietors of Ulster to invade tenant-right, I do not believe there is any force at the disposal of the Horse Guards sufficient to keep the peace of the province, and when we consider that all the improvements have been effected at the expense of the tenant, it is perfectly right that this tenant-right should exist. His money has been laid out on the faith of compensation in that shape."—[*Report of Devon Commission.*]

The property which had been accumulated in the north of Ireland under this custom amounted to 12,000.000*l.* or 13,000,000*l.* He wished to give the House a notion of how the property of the tenant created under the custom of tenant-right in Ulster would be swept away by the Bill of the right hon. Gentleman, or at all events would be left to the mere generosity of the landlord. He would show them what that property was. He held in his hand statements from respectable tenants of what they had paid for their tenant-right. Here was one of them:—

> "The size of my farm is thirty-five statute acres; the rent 42*l.* 6*s.* I bought the tenant-right at 660*l.* I have drained ten acres at a cost of 70*l.* I have built to the amount of 100*l.*, having thus a value altogether of 800*l.* In the year 1842 the rent of twenty-two acres was doubled, and at any moment, if circumstances appeared to warrant it under the present law, the rent of the whole of my farm might be doubled again."

Here was another case:—

> "I hold fifty-seven acres at 27*s.* 6*d.* per acre—in all 84*l.* I bought the tenant-right for 680*l.* I have thorough-drained twelve acres, at a cost of 84*l.* I have reclaimed fourteen acres, at a cost of 112*l.*; for building outhouses I have paid 100*l.*, and for a dwelling-house 200*l.*; making a total of 1,104*l.*"

He had many more instances of the same kind. Another was:—

> "I hold thirty-six acres, at the yearly rent of 54*l.* 7*s.* 8*d.* I have no lease. Besides this, I hold twelve acres, on which there is a lease, at 9*l.* 12*s.* On the whole, the property is forty-eight acres. I have expended on buildings 200*l.*, in draining 42*l.*, in fencing, 40*l.* I had purchased all the land (at 20*l.* per acre) for 960*l.*; giving a total value of 1,242*l.* In the present state of the law I have no title whatever to the improvements on the unleased land; so that the landlord, if so disposed, can lay hold of my 1,242*l.* any day on any pretext whatever."

He would not weary the House with all the other similar cases that he might quote; but all these facts showed that an enormous amount of property had been accumulated on the land of Ulster under this custom of tenant-right; and all that property must be dealt with by any Bill that took up the subject of tenant-right. Now, what was it that Parliament had to provide for? In the greater part of Ireland there had been no protection for the increased value given to the landlord's property by the tenant's improvements, except such protection as might be derived from that dreadful code of agrarian retribution which was little more disgraceful to the people among whom it prevailed, than it was to the Legislature which neglected the proper means of enforcing those rules of national justice between man and man, of which it avenges the infringement. In the whole of the rest of Ireland but Ulster there were no improvements to protect, because no encouragement had been given to tenants to improve. Until lately, no Ulster landlord ever thought of infringing the custom of tenant-right. The valuation was made on the principle that the tenant should have credit for the improvements; and so it continued until the opening of the ports and the fall of prices, or a very short time before that. The question which at that time presented itself to many Ulster landlords, the practical solution of which required the intervention of the Legislature, was—"Shall we, by keeping up our rents and our establishments, destroy the tenant-right on our estates, and confiscate our tenants' improvements, or shall we submit to the change of fortune that the alteration of the law has produced, and which we ought to bear as well as the rest of our fellow-subjects?" The temptation to answer that question in favour of themselves turned out too strong for many an Ulster landlord; and the result was, that, unless the Legislature was prepared to say that all the property created under the custom of tenant-right, which had existed ever since the time of the plantation of Ulster, was to be confiscated, it was absolutely necessary that there should be some protection given to such property. Now, he ventured to state that if the Bill which the right hon. Gentleman had introduced for granting compensation to tenants was all that the Government intended to do, it would create dismay and consternation—if it would not cause disturbance—in the most prosperous part of Ireland. The agent of Lord Lurgan had stated on this point that tenant-right was one of the sacred rights of the country, and could not be touched with impunity, and that if systematic attempts should be made by the proprietors of Ulster to destroy it, he did not believe the Horse Guards could furnish sufficient forces to maintain the peace—so many persons having laid out their money on the faith of compensation under this custom. The question therefore was, if the landlords were seeking to infringe this right, and asking the same rents as they obtained before the fall of prices, ought not Parliament to interfere for the protection of the tenant? That was not the time for entering into the details of the measure known as Mr. Sharman Crawford's Bill. Suffice it here to remind the House that its object is to legalise the Ulster usage for the protection of the property which has been created under it, to acknowledge, prospectively and retrospectively, for the purposes of the Act, in all parts of Ireland, the tenant's property in his own improvements, and to secure him against eviction from them without full compensation. Well, what protection would be afforded by the right hon. Gentleman's Bill? The first clause certainly asserted the principle that all improvements made by the tenant were the property of the tenant; but let them see whether the provisions of the Bill would honestly afford protection to tenants who had already made, or who should hereafter make, improvements. The 26th section gave the tenant who had made *boná fide* improvements a right of action against his landlord, to recover by civil-bill process just and reasonable compensation for the expenditure of his labour and capital. Now, who did the improvements belong to in the view of the right hon. Gentleman? Beyond all question to the landlord. He would not quarrel with the right hon. Gentleman for giving the tenant the right of action if he gave it to him for any useful purpose; because he (Mr. Serjeant Shee) contended, on the principle which he should introduce into the House, that those improvements are now, in justice and conscience, the property of the tenant, on the principle of the civil law; but that principle the right hon. Gentleman denied, wishing to establish the principle of making a man pay for property which was already his own proceeds—unless we look at the 29th section of the right hon. Gentleman's Bill, in which he boldly subverts the principle, *Quicquid solo plantatur solo cedit* (following, he admitted, what had hitherto been understood in Ireland), and generally declared that for the future as to one description of fixtures—buildings—the property which a tenant should fix on the soil should be the property of the tenant; and, further, that it should cease to become his property, and become the property of the landlord if the landlord claimed to purchase it after it had been valued by two referees—one of whom should be appointed on each side—and an umpire. So that, in truth, the right hon. Gentleman's Bill, as far as concerned retrospective improvements, was founded on the admission that the improvements which the tenant had made were now his property. On what other pretence could he give the tenant a right of action with all the incidents of costs, &c., to the losing party, to recover compensation for anything which is not his property? The form of action, given in the 26th clause, is, positively, a mere translation of the form of the civil law, which recognises the tenant's property in his own improvements:—

Mr. Serjeant Shee

> "In conducto fundo si conductor sua opera aliquid necessario et utiliter auxerit aut ædificaverit—vel instituerit cum id non convenisset ad recipienda ea quæ impendit cum domino fundi experiri potest."

Again:—

> "Ad quid actio conducti datur? Ad expensas a conductore in re conducta necessario et utiliter factas (etiamsi non sit de eis repetendis conventum) repetendas."

How did the right hon. Gentleman propose that the tenant should be paid for his improvements? By a compensating term, which was to vary according to the nature of the improvement. If the improvement was a house, it was to be taken that the tenant was compensated by living in it for thirty years and paying rent—and a high rack-rent in nine cases out of ten; if it was a drain, he was to be compensated by using it for seven years; and also for fences, and the clearing of fields from rocks and stones, he was to be compensated in seven years; while for reclaiming waste land, he was to be compensated in twenty-one years. Let the House observe how differently the landlord-tenant for life and his tenant, are treated by the right hon. Gentleman's Bills. By the Tenant's Compensation Bill, section 18, a tenant can in no case recover more than four years' annual value of his holding above the rent he paid. [Mr. NAPIER: That is a mistake—a printer's error.] A printer's error! it was a very curious one, for, by the 23rd section of the Land Improvement Bill, the limit of compensation was elaborately stated to be five years' clear annual value of the land intended to be improved, "after deducting all public rates, taxes, assessments, head rents, quit rents and tithe rent-charge." This meant clear enough value to the landlord, including the rent paid by the tenant. [Mr. NAPIER: It is meant to be so in both Bills.] Well, he could not insist against the renewed assurance of the right hon. Gentleman. Mistakes did occur. Take it as the right hon. Gentleman said it ought to be. Well, the right hon. Gentleman proposed by his present Bill not to allow the tenant compensation in any case exceeding four years' clear annual value of his holding—that was, the clear annual value of the land to the landlord, and not to the tenant.

Let them see what that would come to. How was it to be paid? It was proposed to be paid by a mere fiction of law. In the case of a house, for instance, if the tenant had laid out 300*l.* on a house, and paid rent yearly for twenty years—there not being anything to prevent the landlord during the whole of that time raising the rent on account of the improvements—in that case the landlord was supposed to be debited with the 300*l.*, and every time the tenant paid his rent the sum of 10*l.* was supposed to be deducted, the compensation thus becoming beautifully less every year. The tenant was certainly to have a right of action; but to make sure that it should be of no possible benefit to him, it was to be arranged that the landlord should be annually credited with this 10*l.* a year. In the case of drains, the moment the seven years expired there was to be no compensation; and so with other improvements. And if the tenant built a very superior dwelling-house, such as was often to be found in England, the limitation of the amount of compensation would render him a very considerable loser. The compensation to be given by the right hon. Gentleman's Bill was, therefore, perfectly illusory, giving him, by the 26th section, a right of action to recover money for his improvements, as if they were his own; and then, when they came to look at the compensation, it was found to have consisted of nothing at all but living in a house and paying a high rent for it. But these Bills dealt very differently with the landlord when he took it into his head to improve. By the Land Improvement Act, a landlord making improvements, having only a life interest in the estate, was entitled to have the whole of his money paid back to him with interest, and the charge for improvements was made to have the priority of all other charges but the charge of the Church; and the Board of Works is to have power, section 36, to increase the amount of his tenant's rent by reason of the additional value given to the land by the improvement. Any person who lends the landlord money to improve, the Bank of Ireland, or the Provincial Bank, or the tenant of an adjoining estate, will have his principal and interest secured by a first charge on the estate; but if his own tenant improves, he is to get nothing but a compensating period. And this for works which increase the value of the farm and are suitable to it. Under the right hon. Gentleman's Bill—which would extend to Ulster as well as to every other part of Ireland—the property of the tenants of that province would be regulated by its provisions if the landlords so chose; and if a landlord saw a farmhouse for which his tenant had paid 600*l.*, and which had been built more than thirty years ago, he could refuse to give the tenant any compensation. So that, by stopping for ever any claim by an Ulster tenant for retrospective compensation, the operation of the Bill would amount to the actual confiscation of the tenant's property. The Bill restricted the nature of the property upon which improvements were to be claimed for. Some of these restrictions were reasonable enough; but the Bill then went on to enact that no tenant was to be compensated for any house, unless it was built in a permanent and durable manner, and unless he got the consent of his landlord to its erection. Now, for the last fifty years or more there had been an abundance of landlords in Ireland who had been quite content that their tenants should live in the most wretched hovels possible, growing potatoes, and paying a handsome rent. The Devon Commission report that in half the counties 40 per cent of the inhabited houses are mud hovels, with only one room. And in such a case the tenant could not obtain compensation for building a house, unless he got his landlord's permission in writing. He was also to have no compensation for any drains he might construct, unless he made them thirty-six inches below the surface, and in the manner sanctioned by the Board of Works; and this applied to the past as well as to the future. In the next place, he was to have no compensation for any house that he might build on lands that did not lie together. It would be found, in fact, on examining the Bill, that there were difficulties placed in the way of the tenant's making improvements, which, as every gentleman connected with Ireland knew, would, in ninety-nine cases out of one hundred, be insuperable. Let the House consider the nature of the farms in Ireland. They were all small as compared with those in England, the great majority in the north and west being rather under fifteen acres, and in the south and east thirty acres and a half. Now, what had a small farmer to go through if he wanted to build a pigstye, say at an expense of 30*l.*, or a barn, or a small house, which in some parts of Ireland might be built of a character suitable to a farm of thirty acres for 40*l.*? In the first place, he was to prepare a specification, plan, and estimate, and was to do the work upon that plan, or there was to be no compensation. He was then to serve a notice to the landlord of his intention to make this improvement—a notice which would frequently be met by a notice to quit; but supposing the notice to be given to the landlord, he was then to lodge his specification, plan, and estimate with the clerk of the peace, who was to keep a list of all specifications, plans, and estimates which he received, and was to publish them at the quarter-sessions, and in the county paper. This having been done, the landlord was entitled to step in and give him notice that he elected to do the improvements himself under the provisions of the Lands Improvement Act. Now, according to the provisions of this Act, when a landlord had intimated his intention to make an improvement, he was to send a memorial, accompanied by another plan, specification, and estimate, to the Board of Works in Dublin, who were then to send down an inspector to look at the farm, who was to make a report, and a copy of that report was to be sent to the Board in Dublin. The inspector having reported to the Commissioners in Dublin, they were to advertise the matter again; and then, not merely the landlord, but any person interested in the estate—it did not matter how—he might be a mortgagee, a younger son, or a widow with a jointure—might at once make an objection to the improvements being made, and upon their serving a notice of their objections, upon the Commissioners of Public Works, that body were—what?—to call a public meeting of all the persons who may be interested in the land, and any others whom they pleased, at any place in Dublin which they might appoint, to discuss whether the improvement was a fitting one to be made. And when these persons were all so assembled in public meeting, what did the House suppose they were to discuss? Whether it was good for the tenant, good for the farm, or good for the landlord, that the improvement should be made? No; but whether it was good for all the persons interested in the land. Now, how would that work? Ten to one the man who wanted the improvement had voted against his landlord at the last election; and then in many cases—not certainly in all, for there were many just and honourable landlords in Ireland, who would not force their tenants' consciences—the landlord having given his notice that he intended to do the improvement himself, under the Lands Improvement Act, would call all his kindred about him who were in any way interested in the land, and they would make up their mind whether the tenant should remain on the estate at all, or whether they should not send him and three or four of his neighbours away and consolidate their farms. If they came to the latter conclusion, what so easy as to influence the Board of Works to come to the conclusion that the improvement was not fitting to be made at all? And the Bill positively provided that, although the landlord had undertaken to do the improvement himself, yet, if he got a "refusal of authorisation" from the Board of Works, this was to be taken as a compliance with his undertaking, and the improvement was not to be done. To say that no person should, for the future, have compensation without going through these complicated forms, was equivalent to saying that no compensation at all should be given; for, considering the nature and the size of the farms, the poverty of the tenants, and the small value of the improvements to be made, it was absurd to suppose that any would be made under regulations which entailed so much trouble. In nine cases out of ten, if a landlord, who had any notions in favour of large farms, received from a tenant a notice that he wished to make an improvement, he would give him notice to quit, and thus there was no prospect of any improvement being made in this way. Even, if the landlord had no such notions, still the forms were so troublesome and vexatious, that he was sure no Gentleman in that House would go through them before making an improvement. Now, let the House take the case in which the landlord did not give notice of his intention to execute the Lands Improvement Act. Notice was then to be given to the clerk of the peace; and everybody interested in the land could claim permission to inspect what was going on, or to send any person he pleased to do so. Then, if the improvement were done in three years, the tenant might apply to the Assistant Barrister for a certificate of completion, the Barrister having to look at the plan and specification, and see that the improvements had been executed in strict conformity with them, and if they were not, there was to be no compensation. Then compensation was only to be allowed for such improvements as might appear to the Barrister or to a Judge on appeal to be reasonable and suitable to the tenants holding, and nothing was to be deemed an improvement which had not reference to the agricultural value of the holding. So that, after all, the question of what was an improvement was left to the Barrister or the Judge. The certificate, if obtained, would give the tenant right to live in the house for a certain number of years, or to have compensation if he was turned out. The grant of this certificate might be opposed before the Barrister by the landlord or any person interested in the estate, who had afterwards the right to appeal against his decision to a Judge of Assize. And if the time came when the tenant was entitled to compensation, he was to proceed to enforce it, if under 40*l.*, in the Civil Bill Court, and if above, in the Superior Courts; and all the proceedings were to go on as if the cause were one involving the greatest importance. Further, he was not to have as compensation more than four years' annual value of the improvement, and was to have none at all if he was evicted for non-payment of rent. So that, suppose he had, perhaps at the expense of 100*l.* or 200*l.*, built a house on the farm, and had some little stock on his land, and a distemper broke out amongst them, in consequence of which he was not able to pay his rent, there was nothing to prevent the landlord turning him out without paying him for his improvements. In fact, if in any case the tenant made improvements worth more than four years' clear annual value, the landlord could turn him out the next year and lay hold of the whole additional value of the improvement. And so unjustly was the Bill framed, that while the landlord could set off any arrears of rent against the tenant's claim for compensation, the tenant could not set off his claim for compensation against the rent. In the next place, the tenant was not to have compensation if he quitted his farm voluntarily. Now, as most tenants held from year to year, and had therefore a right to quit at six months' notice, he thought this was a great injustice. No improvements would ever be made under this Bill—no really good improvements in Ulster, or elsewhere, if this Bill became law. The drains would not be made as they should be; the houses would not be built as they should be; nothing, in fact, would be done as it ought to be; because it was impossible to go through these troublesome and vexatious forms; and if they were gone through, no real compensation would be obtained. It was absurd to suppose that the small improvements made in Ireland, by prudent and industrious tenants—and executed not at once, but bit by bit, as they obtained the means—could be executed under this Act, which was therefore valueless to such persons. Another objection, on the ground of public policy, to the Bill was, that it proceeded entirely upon the supposition that the thing was to be determined by the House as a question of right and wrong between two contracting parties. Now that was not so. He admitted that in many cases the tenant had no merits as against the landlord. But the question was not merely what was right as between these two parties, but what was the right course to be taken to encourage improvements in a country where the landlord did not and could not make them. He had not called attention to the provisions of this Bill in any unfriendly spirit either to the right hon. Gentleman the Attorney General for Ireland or to the Government. He and his hon. Friends had no other wish than to assist in passing a good law of landlord and tenant this Session. It was, however, impossible that they should assent to the Government Bill. He would submit to the right hon. Gentleman the Attorney General for Ireland and the Chancellor of the Exchequer, that both the Government Bill, and the Bill which he (Mr. Serjeant Shee) had introduced should be read a second time, and that both should be referred to a Select Committee. And then let all parties see if they could not frame a good measure this Session—acting, as he believed they all intended to act, fairly and honestly, and not under the influence of party spirit, upon a question which was not and ought never to be considered a party question. He was quite ready to admit that, considering Bills had been brought into that House by most eminent statesmen—by Lord Stanley, Sir James Graham, Lord Lincoln, and the noble Lord the Member for the city of London (Lord John Russell)—into all of which the notion of compensating periods had been introduced in one form or another—that the fact of inserting such a principle in this Bill was not a ground for loud and angry complaint against the Government. But he must submit that it was not a satisfactory principle to proceed upon; and that if the Attorney General for Ireland and the Chancellor of the Exchequer really wished to pass during this Session a good Bill, which would be satisfactory to the people of Ireland, and would terminate this much-vexed question, it was not wise to force sixty Irish Members to a division against the Government on this question. They could not, as honest men, sanction the principle of that Bill, but they did not wish to deprive the landlord of his property. He believed that any attack on the rights of property would be fatal to the interests of the tenant as well as the landlord. They wished to give the landlord facilities for improving their estates by such public loans as one of the Bills introduced by the Government provided for; for they thought that in many cases to improve the condition of the landlord was to improve that of the tenant, because the principal reason why modern landlords were bad was because they were poor. They did not wish to offer any obstruction to Her Majesty's Government in their measures, but they could not consent to this Bill. He gave the Government full credit for their intentions; they (the Irish Members) also had good intentions; they wanted to pass a good Bill this Session on fair terms. He conceived that the best way to effect this was to submit both Bills to a Select Committee, where their provisions might be investigated, and the best features of each adopted. He offered to the Government the means of passing a good Bill this Session, by treating the Irish people and their representatives fairly on this occasion. For the first time, the voice of the tenant-farmers of Ireland and their representatives had now been heard effectively in the interior of Parliament. Several Members had been returned to represent the interests of that class, and he (Mr. Serjeant Shee) was one of them. They were most desirous to have this question fairly settled, and they could not do anything more calculated to win popularity than to promote a settlement of this question, with the assistance of Her Majesty's Government, on equitable terms. Would the House assist them in sending both Bills before a Select Committee, or would they force a large body of the representatives of Ireland to oppose this Bill, and put off the subject to another year, at the cost, probably, of much agitation, if not disturbance?

Mr. ROSS MOORE said, as one of the representatives of the North of Ireland, he trusted the House would excuse him for making a few observations on the subject matter of the Bill under discussion. Approving as he did of the principles and generally of the details of the several Bills introduced by the Attorney General for Ireland, he had originally intended to take no part in the debate on the second reading, intending to reserve his suggestions until the Bills should have gone into Committee; but in consequence of the speech which had been made that night by the hon. and learned Gentleman, who had just concluded so able a statement, he thought he should be guilty of a dereliction of duty if he now gave a silent vote on a subject of such great national importance, and in which his constituents took so deep an interest. It was not necessary for him to follow the learned Serjeant through his elaborate statements, two-thirds of which consisted of an historical dissertation on the penal laws, the last remnant of which was repealed nearly eighty years ago, and the sole object of alluding to which, he supposed, was to set up a sort of appeal *ad misericordiam*, and which had been too frequently set up on behalf of the Irish tenant as an excuse for the charges of indolence, want of capacity, and want of energy, which had so often been brought against him. His (Mr. Moore's) sympathy was very great indeed—he had the sincerest desire to give them the fullest measure of justice; he would rather exceed the justice of their claims than fall short of giving them what some might think their due. But he thought they would best defend the tenant's rights by keeping within the bounds of justice and moderation, resting them on the laws of the land and the rights of property; and the person who made the assertion of their rights involve a violation of those laws, was a bad advocate of the cause he wished to promote. When he heard the hon. and learned Gentleman say he had no intention of violating the laws of property which he held so sacred, he began to suspect that the hon. and learned Gentleman had not read the Bill to which his name was attached, for its very first enactment was a flagrant violation of those laws. The hon. and learned Gentleman complained of the existing state of the law of landlord and tenant in Ireland, and he described as a panacea for these evils the legalisation of what he called Ulster tenant-right; and yet from the beginning to the end of his speech he did not inform the House what that Ulster tenant-right was. He (Mr. Ross Moore) would tell the House why—it was because it was impossible to define it. It was well to talk of an imaginary thing called Ulster tenant-right; but he spoke from knowledge and experience, and he told them that there was no such thing as a uniform tenant-right in the north of Ireland. There were not two estates on which the custom of tenant-right was the same; there was no uniformity in it—how therefore was it possible to give legal effect to so varying a custom? and yet, to legalise it, it was absolutely necessary to define it, for otherwise one might well ask — *Quo teneam mutantem Protea formam?*—and what said the stanchest advocates of tenant-right themselves? He had a document in his hand emanating from the Tenant-Right Association, a letter addressed by the secretary of that body to Viscount Castlereagh, who was at the time a Member of the House, which admitted and maintained the propositions he had stated. The writer said—

> "We should at once recommend the custom of Ulster, which, on the whole, has worked so well, to be embodied in a law, were it not for two considerations—first, that amidst the prejudices, the mistaken selfishness, and the great ignorance of many, we cannot at present hope for the introduction of so good and wise a law into those portions of the country which most require it; and secondly, because the usage of Ulster is not uniform, either as to the value of tenant-right or the regulations connected with its observance. On some estates, in consequence of the liberality of the landlords, the tenant-right is worth from 20*l.* to 30*l.* an acre, whilst on others it sinks down to 15*l.*, or 10*l.*, or even 5*l.* On some estates the tenant is permitted to sell his right to the land to the best bidder without any restriction as to the price or the person, whilst on others the landlord fixes the minimum price, and also requires to be satisfied with the purchaser. Those, therefore, who in resolutions and speeches clamour for a law to extend the Ulster tenant-right to the whole of Ireland, ask for that which is wholly impracticable."

Whatever the hon. and learned Gentleman might think, it was evident that a variable custom could never become a fixed law. He (Mr. Moore) would not attempt to define what he believed to be incapable of definition; but he would do the next best thing, and describe the manner in which he found the custom usually at work. It was a custom by which the tenant in possession of the farm was permitted by the landlord to dispose of the goodwill and whatever interest he had in the farm to the highest bidder he could procure, provided always that the incoming tenant were a party approved by the landlord. He asserted that the custom of tenant-right, where it prevailed, never deprived the landlord of two powers—his claim over the rent, and his *veto* on the incoming tenant. It was clear, therefore, that even if the custom were legalised in its commonest form, it might at once be neutralised by the landlord refusing the incoming tenant who was proposed. The common law said that a man's enemy was not to pay his debt without his permission, because, otherwise, he might obtain a very unfair advantage; and would it not be equally contrary to the spirit of the law to say that a landlord should not choose his own tenant? Such a position rather resembled some of those Communistic doctrines of which they heard so much, than a just law, calculated to inspire confidence between landlord and tenant. As, therefore, it was impossible to legalise what was called tenant-right, they must look to some principle according to which the tenant might be compensated for any improvements he might make on the property;—and he thought it was impossible to take up the Bill of the right hon. Gentleman the Attorney General without seeing that the object of the measure was to compensate the tenant for permanent improvements, made by his labour, and at his expense:—it proceeded, in fact, on the very principle on which Mr. Sharman Crawford rested his original Bill. It might be a question whether the compensation was sufficient or not, but that was a question of detail; and when the Bill went into Committee he would be ready to extend the principle to every case where, consistently with the rules of law and the rights of property, it could be extended. Though he approved of the principle of the Bill introduced by the Attorney General, he would by no means pledge himself to all the details. He thought the principle of the Bill was one of which there could be no dispute; it was the principle of giving to the tenant compensation for permanent and unexhausted improvements; and he thought that the House should give it a second reading. It was suggested that both Bills—that of the right hon. Gentleman the Attorney General for Ireland, and that of the hon. and learned Member for Kilkenny—should be referred to a Select Committee; but these Bills contained conflicting principles, and it was the duty of the House to decide which they would adopt, and which they would reject, and not devolve that duty on a Select Committee. There was another ground on which they should come at once to a decision upon the point, namely, that if they entertained the Bill of the hon. and learned

Member for Kilkenny, they would be exciting hopes that were destined to disappointment, and raising expectations too extravagant to be realised; and it would serve to keep alive an agitation that should be at once extinguished. There was another reason why they should decide at once and adopt the Bill of the Attorney General, and that was that time after time the principle of that Bill had been sanctioned by that House, whereas the principle of the Bill introduced by the hon. and learned Member for Kilkenny had, time after time, been rejected by the House. He objected to the criticisms passed on the Bill of the Attorney General by the hon. and learned Gentleman. He had made, for instance, some very minute criticism upon the 18th section, and had complained that the tenant was not allowed more than four years' rent of the land he had improved. His right hon. Friend the Attorney General, however, did the very same thing with the landlords when he dealt with them in the Land Improvement Bill; and what was just in the one case to the landlords, could not be regarded as unjust in the other to the tenants. The hon. and learned Gentleman complained, also, that the Bill contained so many complicated provisions that it would be impossible for the poor tenant either to make the improvements, or to incur the expense of the preliminary investigation. He confessed, even supposing that objection to exist, that he was surprised to hear it urged by the hon. and learned Gentleman, who himself stood godfather to the most complicated, complex, and cumbrous document that had ever been brought before the House in the shape of a Bill—he meant that commonly known as Mr. Sharman Crawford's Bill. The arbitration clause, which ought of all to be the very clearest in that Bill, was enough to take one's breath away to read it, and, in fact, was so complicated and involved, that he defied any one to understand it. Among other things it defined the landlord's rent as being a "just proportion" of what might remain of the gross produce of the land after every possible and impossible charge had been deducted. Who was to say what was a "just proportion?" A reverend leader of the party opposite had recently declared, in a letter to a noble Lord, that the utmost any landlord was entitled to was the just proportion of 1*s.* an acre. That was their notion of "a fair rent." He cautioned English landlords to be very guarded how they sanctioned laws for the sister country which they would not wish to see introduced into their own. The law of property in England and Ireland was essentially the same; and, if innovations were rashly admitted into the one, it would be difficult to exclude them from the other. Let them once sanction the legal introduction of this custom of tenant-right into Ireland, and then let the landlords of England bid adieu to their ownership—for they would establish precedents against themselves. There were many other points which he could urge in support of the Bill, and in contravention of the criticism of the hon. and learned Gentleman opposite, but he was unwilling in a first speech to trespass upon the patience of the House. In conclusion, he appealed to Irish Members, on whichever side of the House they sat, to approach the consideration of the question in a spirit of conciliation, mutual forbearance, and good will. For their common country's sake, let not their passions be excited by any appeal to topics, religious, sectarian, or otherwise, but let the great and worthy object to animate all be the common interest of their common country.

Mr. JOHN BALL observed, that having for many years held a position in Ireland, in which it was his duty as much as it was his inclination to avoid becoming a partisan of any class, he had endeavoured to study the question which was now before the House, and he was intensely anxious to see this question involving such important interests, settled, as well for the sake of the two classes immediately interested in it, as for the sake of the general tranquillity of Ireland. There had been agitation upon this question; but that was natural, as great social evils were at the bottom of it. The right hon. Gentleman the Attorney General for Ireland had admitted the existence of this social evil in Ireland, and had endeavoured to provide a remedy for it; but it was with extreme regret that he found the measure of the right hon. Gentleman had altogether failed in its intention to legislate effectually for the evil, or to meet the just claims of the Irish tenantry. If he looked to this measure and not to the preamble of it, he would hardly feel justified in voting even for its second reading. The provisions of the Bill failed to carry out the intentions of the preamble. The preamble stated that the object of the Bill was to give security to the tenant for the improvements he should make on the land. Now, he was bound to say that the Bill entirely failed to provide that security. When the hon. Gentleman who spoke last warned English Gentlemen not to consent to the passing of a measure for Ireland which they would not tolerate in their own country, they should recollect that the circumstances of the two countries were totally and entirely different. It was the notorious fact that the management of property in Ireland was carried on in a way which was quite the reverse of the established order in England. In Ireland landlords in general did not develop the resources of their country, and they were either unwilling or unable to take any active part in agricultural improvement, and to do that which every landlord in the other country thought it his duty to perform. Unless they could discover the means of alleviating the condition of the tenant class of the Irish population, they could take no effectual step towards promoting the prosperity of Ireland. The House should remember this startling and formidable fact, that, although the class of small tenant-farmers had been greatly diminished of late years by emigration, yet it had been proved before the Committee of last year that there were still in that country no fewer than 421,000 tenants whose holdings were less than thirty acres each. They should also remember that these occupiers of the soil were not living in that condition which alone can make a population contribute to the credit or prosperity of the country. Now, unless they could discover some means of elevating that class of the population, they could make no progress in regenerating the condition of Ireland. With respect to these 421,000 tenants, and for that class, this Bill was utterly useless. With respect to the other 150,000 tenants, they would be either unable or deterred from taking advantage of the provisions of the Bill by reason of the formalities required. The question was one of extreme urgency. The best and most active of the population were leaving their shores, and they said that they wished to retain them. How did you propose to do this? What inducement did they hold out in order to prevent the loss of that most useful class, who were engaged in the cultivation of the soil? The tenant is authorised by this Bill, should the landlord refuse to improve, to proceed with improvements after having given due notice. Then comes a most extraordinary provision. After he is engaged in these improvements, new parties in the shape of all persons interested are invited to come in, and any time before the certificate of completion is given, further notice may be required to be given. Well, if there is found a man who, in spite of all these formalities, proceeds, when he claims his certificate, he is obliged to give proof of his having given due notice, and of his having complied with all the formalities referred to. He is obliged to prove that his specifications are correct, and that the certificate corresponds with them. He is ohiged to prove that they have been duly published and posted, otherwise the poor tenant is debarred of his certificate. He cannot either obtain it until the clerk of the peace has duly published it. The Bill then goes on to say what are improvements, and anticipates the discoveries of science, by providing that nothing is an improvement which is not specified in the fourth clause of the Bill. A tenant may commence to drain with broken stones; having completed some of the work in this fashion, he suddenly finds that tiles are more profitable: he is debarred from his certificate by the variation from his specification. In the case of an appeal, if the tenant is dissatisfied with the decision of the Assistant Barrister, he is to go before one of the Judges of Her Majesty's Courts. For his part—though no one had more respect than he had for the Irish Bench—in such a case he would much rather go before a judge of a cattle show. They very probably, under this Bill, would have the twelve Judges sitting in Dublin to determine how a drain should be made. Another clause was most oppressive—the tenant was debarred from his certificate after a lapse of three years. Fifteen months of that were got over before the Court had complied with the formalities. Well then, the work would take, say from eight to nine months more, and in case of an appeal, an additional five or six months would be consumed before he could get the decision of a Judge. Three years would very soon pass over in this way, leaving the tenant, after he had obtained a Judge's decision, debarred by the 12th clause of his certificate. But the 18th section of the Act was most objectionable, for by it any breach in the covenants of the lease debarred the tenant for ever from obtaining compensation for his improvements. This was one of the worst clauses in the Bill, and he could not help thinking that the right hon. Gentleman had been led astray by some sinister influence while preparing it. The Bill, in common with all that had gone before it, but more signally than any of its predecessors, failed in this—that it was drawn from abstract ideas, and failed in accomplishing any practical good. If they wished to accomplish a practical object, they must lay down for their basis the proposition in the Roman Civil law—of which, being couched in somewhat barbarous latinity, he would at his own risk and peril attempt a version—that where a tenant shall, without being bound thereto by covenant, add to the buildings on his farm, or make new buildings, or by some other improvements add to the value of his farm, he shall be entitled to compensation. If they would lay down that principle, and not add any complicated machinery to carry it out, then they might hope to come to some final and satisfactory settlement of the question. But they would not stop future agitation—on the contrary, they would be laying the foundation of future agitation—if they conceded the principle and refused the power to realise it. He wished now to say one word on the question of arrears of rents. He would appeal to Irish Members to say whether anything could be so fatal to a proper adjustment of the landlord and tenant question as the system of allowing large arrears to be hanging over the head of the tenant. It was a complete bar to improvement; and it turned the freeman into a serf when they put him into a position where he could make no profits which would benefit himself. No Tenant-right Bill could be of any avail unless the system was ended. The Chief Secretary for Ireland (Sir W. Somerville) in dealing with the question, proposed to limit the power of distress to arrears for one year; and the right hon. and learned Gentleman, in his present Bill, allowed distress for a year and a half. His (Mr. Ball's) opinion was, and he gave it on the authority of the report of the Devon Commission, that it would be as much for the advantage of the tenant as of the landlord, that a stringent statute of limitations should be enacted, prohibiting the power of distress for arrears over more than one year. He trusted he had avoided saying anything offensive to the hon. and learned Gentleman opposite. He and his friends would support the second reading of the Bill for the sake of its preamble. ["No, no!"] Well, he spoke for himself. He would support the second reading for the sake of the declarations contained in the preamble; and if the hon. and learned Gentleman would allow both measures to go before a Select Committee, he thought they might come to a satisfactory settlement by the construction of a measure simple in its nature, and which would put an end to agitation for the future.

Mr. BROTHERTON reminded hon. Members that they had to meet again tomorrow at 12 o'clock, and that they had sat very late on the previous night. It was impossible that they could go on sitting so late every night, especially when there was a morning sitting next day; and he must, therefore, move that the House do now adjourn.

Motion made and Question proposed, "That the debate be now adjourned."

Mr. ROCHE wished to have some intimation from the Chancellor of the Exchequer whether he would agree to fix an early day for the continuation of the discussion—otherwise they would be obliged to go on with the discussion then?

The CHANCELLOR of the EXCHEQUER said, that the hon. Gentleman should remember that he had no day at his command; that Thursday was not under the control of the Government; and that Friday had already been fixed for a very important discussion. All he could do was to facilitate the discussion that night, and that he had done.

Mr. M'MAHON then proceeded to address the House.

Mr. GEORGE rose to order.

Mr. BERNAL OSBORNE begged also to rise to order. The hon. and learned Gentleman (Mr. M'Mahon) was perfectly in order in speaking to the adjournment.

Mr. M'MAHON said, that, in rising for the first time in that House to speak on a topic of great interest, he was exceedingly anxious to act in conformity with the wishes and usages of the House; and he believed that he should be acting strictly in accordance with the practice of the House if he stated briefly why he thought the House should not then adjourn. The question was one of extreme importance not only to the people of Ireland, but to the welfare and permanent power and prosperity of England;—and he did think that after the subject had occupied so much attention in Ireland, which it specially concerned, the debate should not be adjourned at that very early hour of the night; but that those Gentlemen who took a deep interest in the question should be allowed to sit there and consider it. He wished in the fewest possible words to call the attention of hon. Members to the real question before the House—namely, whether or not the Bills under discussion should be sent to a Select Committee. The only reason that had been assigned why the Bill of his hon. and learned Friend the Member for Kilkenny should not be sent to a Select Committee was, that the Bills of the Attorney General formed of themselves an adequate remedy for the miseries created by the present state of the law between landlord and tenant in Ireland. Now, what were those Bills? The two most material of his measures the right hon. Gentleman had told them were these: the one consolidated and slightly amended 200 old Acts of Parliament, and the other sixty. The other two were consolidations and amendments of divers measures introduced into Parliament during the greater part of this century. But if the 260 original Acts were but so many failures in the attempt to settle the question of landlord and tenant in Ireland upon a basis calculated to secure the welfare of the tenant as well as of the landlord, why should the consolidation do any more than they did? Those Acts were failures because passed by a Legislature which, looking chiefly to the interest of the landlords and the creditors of the land, neglected the interests of the rest of the community, committing the same mistake as the manufacturers in overprotecting themselves, instead of looking to the general welfare of the community. Those 260 measures had produced this result—they had totally destroyed that freedom of contract in dealing with the land which would have existed had they not been passed—they interfered with that general freedom of action which if allowed to exist would have secured the welfare of landlord and tenant; but as it was, the land was encumbered with the barbarous institutions of entails, and with mortgages and judgments, and registries, which more and more prevented the landlord from acting as a free agent with regard to his land, and giving such a lease as would induce a tenant to expend labour and capital upon the soil. The landlords of Ireland had had great advantages, many of them obtaining the land free of charge, and having the making of the laws; but they had ruined themselves, necessitated the establishment of the Encumbered Estates Court, and reduced the tenantry to a condition truly disgraceful. The persons who passed those laws, looking to their own interest only, passed laws in violation of the fundamental principles of economical science, and the consequence was a state of things disgraceful to our legislation and to the civilisation of the age. It was urged that the Bill of the hon. and learned Member (Mr. Serjeant Shee) interfered with the freedom of contract; but freedom of contract had been already interfered with, and, under the operation of these laws, neither landlord nor tenant could make or have such a lease as he would wish. Freedom of contract did not exist, and would not exist if these Bills were passed into law. All those laws with relation to landlord and tenant in Ireland, were in direct violation of the fundamental principles which Paley laid down with regard to the tenure of land. Paley said that the principal expedient by which agriculture could be promoted, was to adjust the laws of property as nearly as possible to the following rules: first, to give to the occupier all the power over the soil necessary for its perfect cultivation; and, secondly, to assign the whole profit of every improvement to the persons by whose activity it was carried on. He said that—

> "With respect to the encouragement of husbandry; in this, as in every other employment, the true reward of industry is in the price and sale of the produce. The exclusive right to the produce is the only incitement, which acts constantly and universally—the only spring which keeps human labour in motion. All, therefore, that the laws can do is to secure this right to the occupier of the ground—that is, to constitute such a system of tenure that the full and entire advantage of every improvement go to the benefit of the improver; that every man work for himself, and not for another; and that no one share in the profit who does not assist in the production." [*Philosophy*, xi. s. 2.]

As the principles relating to industry were better understood, we should recur to the principle of freedom of action. In deciding whether the Bill of the hon. and learned Member (Mr. Serjeant Shee) should be sent to a Committee, there was another reason which should not be overlooked—it should be remembered that the people of Ireland had returned a great number of representatives pledged to support the measure. Was it not due, in common courtesy to the national will of the people of Ireland, and to their representatives, that the measure should at least be considered in Committee? Legislation, with respect to Ireland, had looked too much towards the landlord, and too little towards the tenant; they had always applied to the tenants of Ireland a part of the well-known maxim of Arthur Young, "Give a man secure possession of a rock, and he will turn it into a garden. Make a man a tenant-at-will of a garden, and he will turn it into a desert." The latter part only of that maxim they had applied to the tenants of Ireland; they had made them tenants-at-will of the soil, and could they wonder that it had become a waste? If the same encouragement were given to tenants in Ireland as had been given to tenants in Prussia, Tuscany, and other parts of the world, might not the hope be entertained that the tenantry of Ireland would prosper like the tenantry of other countries, and that, instead of discontent and wretchedness prevailing, there would be the happiness and contentment which existed among the tenantry of England? To produce that result nothing unreasonable, extravagant, or unjust had been asked. All that had been asked was, that this Bill should be referred, with the other Bills, to a Select Committee. He and those with whom he acted did not ask for a Committee of Members pledged to support the measure, but a Committee consisting, not of Members influenced by the narrow, local, personal, or professional prejudices of Irish landlords or lawyers, but of Members with the views of English statesmen looking to the welfare of the people of Ireland, and to the welfare of the people of England—for the people of England could never be permanently prosperous while the people of Ireland continued in their present state of misery—and, looking, also to the permanent welfare of the whole country, might advise such measures for settling the question of landlord and tenant as might consist with the principles of public policy and private justice.

Mr. LUCAS wished to say a very few words strictly on the question of adjournment. The Chancellor of the Exchequer had truly observed that he had given every facility for the discussion that night. What was the object for which that discussion had been sought? A Bill had been brought forward in a long speech by the Attorney General for Ireland; and the impression made on the most plausible statement of its contents was confirmed and strengthened on examining it—for it seemed to involve a confiscation of all tenant-right that existed in Ireland, and a confusion of all such property in future. On examination, it was found to he infinitely worse than had been suspected; it was calculated to excite the greatest possible discontent in Ireland, and, instead of healing the wounds of that country, to produce disturbance and breach of the peace, not only in the North of Ireland, but throughout the four Provinces—to create an aggregation of all the evils that existed, and an incitement to outrage and discord worse than the worst enemies of Ireland could desire. What, then, was the object with which this discussion was sought? Finding that the Bill contained such provisions as he had described, these with whom he acted wished to have an opportunity of making a statement to that House, which statement had been made by the hon. and learned Member for Kilkenny—a statement to which, for its calmness, temperance, clearness, and fulness in examination of details, no objection could be made; and, before going down to the country, they desired to know whether the right hon. and learned Gentleman opposite had any reply to make—whether they were to go down to their constituents after the recess arrived, and express the opinion which he and his friends had unanimously formed of the Bill, or whether the right hon. and learned Gentleman had anything in store to allay their apprehensions? What had been stated to-night had all been on one side. The case had been waved on the other side. There had been a speech from an hon. Gentleman on the other side (Mr. Ross Moore), who was perfectly competent to make out a case if the Bill had not been so exquisitely bad; but he did not defend it at all. He gave up the greater part of its details, which were practically its principle, and he endeavoured to make a foray against that side of the House, and had converted the discussion, which, in form, was a discussion on the right hon. and learned Gentleman's Bill, into a discussion on the measure of the hon. and learned Member for Kilkenny. What was sought was an explanation. He (Mr. Lucas) had had no experience of that House, but out of it he had never heard of a more extraordinary proceeding than that with reference to a clause which was now said to be a printer's error. When an explanation was given, it might appear that there were more printer's errors. He was inclined to think that the greater part of the Bill was a gross printer's error. Sure he was it was a gross blunder of some kind, and he would much rather the blunder were appropriated by the printer than by Government; but three times in two Bills the same form of words was repeated, once in the Leasing Bill, and twice in the

Tenants' Compensation Bill; and that turned out to be a printer's blunder! The House was entitled to have an explanation of what this Bill really did mean. He and his friends were not anxious to take up this matter in a party spirit as against the Government. He did not know whether he would receive credit for sincerity, but he spoke as solemnly as a man could, and he could say that he would as soon take good measures from hon. Gentlemen opposite, as from any party. He was connected with no party; he looked only to those who had the wellbeing of Ireland at heart; he was looking to hon. Gentlemen opposite in the hope that, as they were throwing off so many old notions, and were abandoning obsolete politics, they might show that good disposition in regard to Ireland—that unhappy country, which had suffered more from those exploded politics, than any other part of the Empire. In conclusion, he would repeat that he, and those with whom he co-operated, were anxious to have an explanation from the Government on the subject of this Bill. The Government had shown a certain degree of unwillingness to have a discussion. Having an opportunity, they had not given any explanation, and had left him and his friends under an impression that their objections could not be answered. He appealed to the Government whether the discussion might not be continued on Wednesday? Those with whom he acted were ready to meet the Government then or on Thursday, or on any other day; but if the Government shrunk from explanation, and mistake or misapprehension were left to exist among his friends, and if great excitement arose in Ireland, he should only say that the fault would not lie at their door.

Question put, "That the Debate be now adjourned."

The House *divided*:—Ayes 92; Noes 57: Majority 35.

List of the AYES.

A'Court, C. H. W.
Astell, J. H.
Bankes, rt. hon. G.
Barrow, W. H.
Bateson, T.
Bentinck, G. P.
Beresford, rt. hon. W.
Berkeley, Sir G.
Booker, T. W.
Booth, Sir R. G.
Brisco, M.
Brocklehurst, J.
Bruce, C. L. C.
Butt, G. M.
Chambers, T.
Chandos, Marq. of
Christopher, rt.hn.R.A.
Corry, rt. hon. H. L.
Cotton, hon. W. H. S.
Crook, J.
Disraeli, rt. hon. B.
Duncombe, hon. A.
Dunne, Col.
Fitzgerald, W. R. S.
Forester, rt. hon. Col.
Forster, Sir G.
Franklyn, G. W.
George, J.
Grogan, E.
Hadfield, G.
Hamilton, Lord C.
Hamilton, G. A.
Hamilton, J. H.
Hayes, Sir E.
Henley, rt. hon. J. W.
Herbert, H. A.
Herbert, Sir T.
Hope, Sir J.
Horsfall, T. B.
Hudson, G.
Johnstone, J.
Jolliffe, Sir W. G. H.
Kendall, N.
Ker, D. S.
King, J. K.
Knatchbull, W. F.
Knight, F. W.
Knox, hon. W. S.
Lacon, Sir E.
Lennox, Lord H. G.
Lockhart, W.
Loveden, P.
Macartney, G.
Macaulay, K.
Mackenzie, W. F.
Maddock, Sir T. H.
Mandeville, Visct.
Manners, Lord J.
Maxwell, hon. J. P.
Michell, W.
Miller, T. J.
Milligan, R.
Montgomery, H. L.
More, R. S.
Morgan, O.
Naas, Lord
Napier, rt. hon. J.
Newport, Visct.
Ossulston, Lord
Packe, C. W.
Pakington, rt.hon.Sir J.
Peacocke, G. M. W.
Ricardo, O.
Robertson, P. F.
Shelley, Sir J. V.
Smith, Sir F.
Somerset, Capt.
Spooner, R.
Stafford, A.
Stanhope, J. B.
Stanley, Lord
Stirling, W.
Trollope, rt. hon. Sir J.
Turner, C.
Tyler, Sir G.
Vance, J.
Walpole, rt. hon. S. H.
Whiteside, J.
Whitmore, H.
Wickham, H. W.
Wilkinson, W. A.
Wynn, H. W. W.

TELLERS.
Brotherton, J.
Taylor, Col.

List of the NOES.

Ball, J.
Bell, J.
Bellew, Capt.
Berkeley, C. L. G.
Bowyer, G.
Brady, J.
Carter, S.
Cobbett, J. M.
Corbally, M. E.
Devereux, J. T.
Duffy, C. G.
Esmonde, J.
Fagan, W.
Fitzgerald, J. D.
Fitzgerald, Sir J. F.
Fox, R. M.
Goderich, Visct.
Goold, W.
Grace, O. D. J.
Greene, J.
Greville, Col. F.
Higgins, G. G. O.
Keating, R.
Kennedy, T.
Keogh, W.
Kirk, W.
Lawless, hon. C.
Lucas, F.
M'Cann, J.
M'Mahon, P.
Magan, W. H.
Maguire, J. F.
Meagher, T.
Monck, Visct.
Moore, G. H.
Mulgrave, Earl of
Murphy, F. S.
Murrough, J. P.
Norreys, Sir D. J.
O'Brien, P.
O'Brien, Sir T.
O'Flaherty, A.
Osborne, R.
Pellatt, A.
Pollard, U. W.
Power, N.
Sadleir, J.
Sadleir, J.
Scully, V.
Seymour, W. D.
Shee, W.
Stapleton, J.
Swift, R.
Vernon, G. E. H.
Warner, E.
Whalley, G. H.
Whitbread, S.

TELLERS.
Scully, F.
Roche, E. B.

Mr. WALPOLE said, that, considering the great interest taken in this subject, and that it was important the matter should be fully investigated, and considering also that there was no prospect of coming to a definite conclusion upon the question before the recess, he was quite willing to accede, on the part of the Government, to the proposition of the hon. and learned Gentleman, that both the Bills, namely, the Bill of the Attorney General for Ireland, and the Bill of the hon. and learned Gentleman (Mr. Serjeant Shee), should be referred to a Select Committee. He did not understand that there existed the same objection to the Land Improvement Bill and the Leasing Powers Bill; he thought they should pass as rapidly as possible, and not be referred to a Select Committee.

Mr. KEOGH supposed his hon. and learned Friend (Mr. Serjeant Shee) would be allowed to name the Committee as early as possible.

Mr. WALPOLE said, he should of course communicate with the hon. and learned Gentleman upon that point. His desire was that the Committee should consist of a fair proportion of Irish Members on both sides of the House.

Mr. LUCAS thought the Leasing Powers Bill should be referred to the Select Committee. It contained an important principle connected with compensation. He also thought it would be of great importance that the Committee should have the power of hearing evidence to show what would be the exact operation of the various clauses of the two Bills. If they did not, they would be legislating in the dark.

Mr. GROGAN objected to sending Mr. Crawford's Bill to a Select Committee, on the ground that it had been already rejected by the House because it involved a violation of the rights of property.

Mr. O'FLAHERTY regretted that the hon. Member opposed the moderate, conciliatory, and equitable course proposed by the Home Secretary. It would be a very one-sided proceeding to send up one Bill to the Committee, and to reject the other. As to examining witnesses before the Committee, he was of opinion it would be useless, as very few witnesses could be found who would fully understand the subject.

The SPEAKER reminded the House that the debate had been adjourned, but that no day was named to which the adjournment was to take place.

Mr. WALPOLE suggested the 15th December.

Motion made, and Question proposed, "That the Debate be adjourned till Wednesday, the 15th December."

Mr. R. M. FOX regretted that the Irish Members had consented to send the Tenant-right Bill before a Select Committee at all. He was convinced, from what he had seen of other Select Committees, the whole thing would end in nothing being done. Some explanation was due to the House of the extraordinary silence preserved during the debate by Her Majesty's Ministers.

Mr. NAPIER said, he had intended to follow the hon. Member for Carlow county (Mr. Ball), but that the adjournment of the debate was moved just after he sat down, and he (Mr. Napier) thought that, having spoken at length on introducing the Bill, it would only be fair to give hon. Members an opportunity of stating their opinions. He was quite prepared to answer the hon. and learned Gentleman in his remarks on the Tenant Bill. He might add, before he sat down, that having prepared abstracts of the Bill for the better comprehension of it, he found, on looking to one of them then in his hand, that the printer's error had not crept into it.

Mr. KEOGH remarked that it was a very extraordinary circumstance that the same mistake should have crept into all the right hon. Gentleman's Bills. The Bill would in effect be found a delusion, for when the right hon. Gentleman had laid it down that thirty-one years should be the compensating period of enjoyment, he sent the tenant who might be evicted before a tribunal which was limited in jurisdiction to four years' clear yearly value of the lands. The right hon. Gentleman had told them that the preparation of those Bills had added many an hour of toil to a life not professionally unemployed. This certainly was the great age of concession and appropriation. The House would hear with surprise that the materials which had added those weary hours to the right hon. Gentleman's life, had been supplied by the pigeon-holes of Dublin Castle. Why did he say so? Because an hon. Member now in the House had a pamphlet in his pocket written by Mr. Tighe Hamilton, formerly Assistant Secretary at Dublin Castle, and dated at Nice on the 2nd of last month, which, when compared with the right hon. Gentleman's Bill, was almost section by section, and in every principle and proposal, the same. The labours of the right hon. Gentleman, united with those of his hon. and learned Colleague, who was so rigidly observant of nothing but sober facts, had terminated in putting into form the suggestions, the ideas, nay, the very words, of a gentleman who, far distant from England, felt bitterly, as others had done, that his literary efforts had been plundered without acknowledgment.

Mr. NAPIER said, that considering the attack which had been made on his character and on his honour as a gentleman, he was sure the House would allow him to move they should now adjourn, for the purpose of enabling him to answer a charge, of which, if he was guilty, he should deserve to be stigmatised as a man wanting in honour and in the principles of a gentleman, and not worthy of a seat in that House, which he had for some years enjoyed. On the honour of a gentleman, then, till that Bill was stated to the House—till it had been laid on the table—he had never even seen the pamphlet of Mr. Tighe Hamilton, or any Bill, or any paper relating to it. He never saw, he never read, he never heard of any such paper. But he would explain the circumstances connected with that pamphlet. In 1850 he asked Messrs. Vance and Ferguson to write the book which had been adverted to in the course of the debate. They wrote it in 1850, and, having been printed for private circulation, it was put in possession of several Members of the House. Mr. Tighe Hamilton had been examined before the Committee, of which he (Mr. Napier) was Chairman, and had given important evidence with respect to the relations between landlord and tenant in Ireland, and in 1850 a copy of the book had been, therefore, transmitted to him. That book was published under his (the Attorney General's) own superintendence; he furnished a great portion of its materials, which were collected by his own industry; to the gentlemen by whom it was published he had handed all the papers in his possession; and it contained substantially his views upon that question. Sentence for sentence, and paragraph for paragraph of that book, would be found in the pamphlet of Mr. Tighe Hamilton, in 1852—whole passages and pages were taken without a word of acknowledgment. His Bill was, he owned, founded upon the first pamphlet, with the exception of the Land Improvement Act; but he was, upon the honour of a gentleman, quite guiltless of every part of the charge brought against him, and he trusted that, after the statement he had made, he should stand in that House as it had always been his pride and privilege to stand, as a Gentleman whose word and honour were unimpeached.

Motion made, and Question proposed, "That the House do now adjourn."

Mr. FULKE GREVILLE deprecated the personal tone which had been imported into the debate; but, entering fully into the feelings of the right hon. Gentleman, and giving him the greatest credit for his labours and exertions in this matter, he must say that there was this to be said for the hon. and learned Gentleman the Member for Athlone (Mr. Keogh)—that the Solicitor General for Ireland did last night make observations with regard to several Gentlemen on that side of the House, and among others the hon. and learned Gentleman, at which he was not surprised that hon. Member should feel annoyed. He begged to ask the Secretary of State for the Home Department whether he would allow the second Bill of the Attorney General, the Leasing Powers Bill, to be referred to the Committee at the same time as the other Bills, because it did contain clauses which were open to the same objection.

Mr. WALPOLE had no objection to adopt the course suggested. As to the Land Improvement Bill, that, he understood, would be allowed to pass the second reading.

Mr. BERNAL OSBORNE said, the House must remember that if there had been any personal infusion of bitterness into this debate, it was originated by the hon. and learned Gentleman on the other side of the House (Mr. Whiteside), who had used last night, he thought, a rather strong term in speaking of the Amendment of his hon. and learned Friend the Member for Athlone (Mr. Keogh). What had the hon. Member for Athlone said this evening? It was true he had referred to the pamphlet of Mr. Hamilton, but he had not only referred to that pamphlet, he referred also to certain pigeon-holes in Dublin Castle. The right hon. Gentleman (Mr. Napier), with the sanctity which became a Member of the College—["Oh, oh!"]—well, then, with that want of sanctity—["Oh, oh!"]—well, with that boldness which became a Member for the University of Dublin, had asserted—and he (Mr. Osborne) believed him—that he did not take his Bill from that pamphlet. But it was well known that the late Government had left certain measures for the settlement of this question of tenant-right, if it could be settled by a Government measure. He was not underrating the exertions of the Attorney General. Three of his Bills he believed to be very good ones; but at the same time he thought the hon. Member for Athlone was justified in saying that the right hon. Gentleman had made use of the pigeon-holes. As to referring these Bills to a Committee of the House, he was sure there would be disappointment felt at the result of that Committee.

Mr. WHITESIDE said, he would not detain the House one minute. He regretted nothing so much as that those measures which had been laid on the table with the best intentions towards Ireland, should have been made the subject of personal attack. He wished to state one fact, and he hoped he should be believed; he had been present last summer at the preparation of a great portion of these four Bills. They had been prepared in a great degree under his own eyes, and those of his hon. Friend the Attorney General. With regard to the pigeon-holes of the Castle, he was not in the habit of rummaging in pigeon-holes. But he could state that neither in the pigeon-holes nor out of the pigeon-holes had they found any Bill of the late Government, to enable him to prepare the Bills before the House. He staked his veracity on that statement. He was surprised that hon. Gentlemen had taken the course they had done on the large constitutional question to which they had addressed themselves. Not one word had been said on the merits of the Bills, with the exception of the quibble raised on the omission of one word. The hon. Member for Middlesex regretted that the Bills had been refered to a Select Committee. So did he. It was admitted that three of the Bills were unexceptionable, and regretted that the friends of Ireland had been the cause of preventing them becoming law.

Mr. R. M. FOX protested against the Bills being hung up in a Select Committee,

The CHANCELLOR of the EXCHEQUER thought the discussion had become somewhat irregular. At that late hour, and after the arrangement which had been agreed upon, he thought the discussion should not proceed further.

Mr. Serjeant SHEE admitted that he had agreed to the proposal to refer the Bills to a Select Committee; but he thought it would be of great advantage, if power were given to the Committee to send for witnesses and papers.

Mr. GEORGE protested, as an independent Member, against its being supposed that he assented to the principle of the Bills of the hon. and learned Member for Kilkenny, many of the clauses in which were not to be found in any of Mr. Crawford's Bills.

Motion, by leave, *withdrawn;*—Debate *adjourned* till *Wednesday*, 15th December.

The House adjourned at half after One o'clock.

HOUSE OF COMMONS,

Wednesday, December 8, 1852.

Minutes.] New Member Sworn.—For Bury St. Edmunds, James Henry Porteus Oakes, esq.

Public Bills.—1° Stamp Duties on Patents for Inventions.

PARLIAMENTARY ELECTORS BILL.

Order for Second Reading read.

Sir De LACY EVANS, in moving the second reading of this Bill, said, as it had been before the House upon several occasions, he would not now enter into any explanation of it. He would merely observe, that five or six years ago he had introduced a Bill which dealt with the question now under consideration, and the present Bill was necessitated by a decision of the Court of Common Pleas upon the 13th of last month. The original reason for introducing the Bill was the great disparity which existed in the ratepaying clauses of the Reform Act, which were intended to exclude insolvent voters, but which really excluded a great many others; and to remedy that defect he had introduced the measure which received the sanction of the House four years ago. The original date of payment was the 11th of October; but that had been subsequently altered by the House of Lords to the 5th of January. This alteration had given rise to many conflicting decisions by the revising barristers; and therefore he had waited until the question was decided by a Court of Appeal. But the Lord Chief Justice of the Court of Common Pleas last month had stated that the law was uncertain, and that its practical effect was to disfranchise a great number of voters. In Westminster a great number of voters had been disfranchised; and he believed that no fewer than 100,000 to 150,000 solvent voters throughout the country had been disfranchised in consequence of the present state of the law. This Bill was proposed to remedy this inconvenience; and as he did not know what date the Government would think most convenient, he would merely move the second reading of the Bill.

Motion made, and Question proposed, "That the Bill be now read a Second Time."

Mr. FREWEN said, it was his intention to move that the Bill be read a second time that day six months, as he thought it was a little too soon after the alteration had been made by the House of Lords, and acquiesced in by this House, to come to this House for a restoration of the date that was in the Bill when it was sent up to the House of Lords.

Amendment proposed, "To leave out the word 'now,' and at the end of the Question to add the words 'upon this day six months.'"

Mr. W. WILLIAMS said, he thought the payment of rates and taxes as a qualification to be placed on the register should be altogether abolished.

Lord STANLEY said, the hon. and gallant Member for Westminster (Sir De L. Evans) had placed those who opposed the Bill in some difficulty, as he had really given them nothing to oppose. In 1848 the hon. and gallant Gentleman obtained an extension of the time of payment of rates and taxes from three months to six months, and he (Lord Stanley) did not think there was any necessity for a further extension. The hon. and gallant Member had not laid before them a statement of any practical grievance arising out of the existing state of the law; yet he (Lord Stanley) thought some such grievance should be shown before any alteration of the law was proposed. The hon. and gallant Member had not brought forward one single reason, stated one single fact, or alleged one particular grievance, upon which he could justify the introduction of this measure. Those who had lost their votes had lost them through their own fault. If they were disfranchised, it was because they had not paid their taxes. Had they been disfranchised through the operation of the law, recollecting the number of contested elections that there had been throughout England, recollecting how evenly balanced the state of parties was in many places throughout the Kingdom, the House of Commons would not have been left to learn the fact from the simple statement of the hon. and gallant Gentleman. Was it probable, he would ask, that if any serious inconvenience had been found to result from the present law, public meetings would not have been held on the subject, of so large a body of persons as the hon. and gallant Member had mentioned being disfranchised in consequence of it? The only case where a solvent man could be disfranchised by the law as it now stood was, that when the collector did not call, the voter was so careless as not to tender the payment of his taxes, and that was a case for which the House could not legislate.

Sir JOHN SHELLEY said, if the noble Lord wanted a proof that a grievance was inflicted upon a large class of voters, he would refer him to the opinion of the Lord Chief Justice of the Common Pleas, who, in delivering his judgment, said—

> "No doubt this was a case of great importance, because the general impression, when these taxes were payable, might have disfranchised a great number of household voters, because a householder's attention was not directed to the payment of these taxes until they were demanded, and they did not pay the tax quarterly as it was due."

It was the duty of the House to put the voter out of the power of the tax-collector as far as possible, and it had been proved that 118,000 voters had been disfranchised by the present operation of the law. It was quite preposterous that so much power should be placed in the hands of the tax-collectors, practically to disfranchise electors with whose political opinions they might not happen to agree.

The ATTORNEY GENERAL said, he was far too much occupied to be enabled to attend to all the decisions of the assistant barristers, and to be also ready to explain them. He understood, however, the case to be this: The question in the Common Pleas arose as to the time when certain taxes became payable—whether particular taxes became payable at a certain time or at a different time. The hon. and gallant Gentleman (Sir De L. Evans) now proposed to introduce a law to amend the existing one, on the ground of the hardship and inconvenience it inflicted upon the voter. He (the Attorney General) did not understand how this measure would effect that object. The same question must arise whatever limit was affixed for the payment of the rate as qualification for being put upon the register. These 118,000 voters had been disfranchised, not by reason of qualification, but by reason of not having paid in sufficient time the taxes required. Therefore, the grievance which had been pointed out was a grievance which stood on entirely different ground. Then the hon. Member for Westminster (Sir J. Shelley) said his (the Attorney General's) noble Friend (Lord Stanley) had offered no answer to what had been adduced in support of the Bill. His noble Friend said no argument had been offered; therefore, if no argument had been offered, no argument was necessary in answer. But the House would just consider what they were asked to do. It was proposed, for no apparent reason, to extend the time within which parties should be bound to pay their rates and taxes in order to qualify themselves to be put on the register. And why? In 1848, the three months which existed under the Reform Act was extended to six months, by carrying the time back to the 5th of January. One would really think, that allowing a person to be in arrear six months for rates and taxes was sufficient indulgence, and that there could be no reasonable ground for extending that period, and allowing a person to be in arrear, as now proposed, for nine months. The hon. Baronet the Member for Westminster objected to all ratepaying clauses; and though he (the Attorney General) might differ in opinion with him, he would rather see the ratepaying clauses abolished altogether than have them tampered with from time to time by proposals to extend the time within which payment should be required. The object of those clauses was to prevent insolvent persons being on the register and entitled to vote. Hon. Members on the other side were constantly saying it was their desire to have an independent class of voters, and those who were in favour of the ballot placed it entirely on the ground that it would secure the independence of the voter. Insolvent persons were not likely to be independent, and, therefore, it really seemed most important not to extend the term beyond six months, because it would be only making a man worse and worse, by allowing him to be in a lower condition. It was said the not extending the time would be a hardship, and that many might be disfranchised because the tax-gatherer had not called within six months for the rate. They all admitted the elective franchise was a very high privilege. [Sir J. SHELLEY: No; a right.] Well, then, a very high and important right. He took it for granted, that whether the tax-gatherer called or not, every man knew perfectly well whether he was in arrear; and if he had the slightest value for that important right, if he was in arrear, he would have nothing to do but to go to the tax-gatherer before the 20th of July, to put himself fully in possession of that right, which, if he did not do, showed he did not value it, and that he was not of that class for whom hon. Gentlemen opposite were so anxious to introduce the ballot. Rates and taxes were high-sounding terms; but the arrears only amounted to a few shillings after all, and the House would consider what was the state of that man who was unable to pay a few shillings due for rates and taxes in order to obtain the franchise. He really did submit that it was not a desirable thing without any reason at all, without any grievance being shown to exist, that from time to time the House should be tampering, as he had already said, with this question, and giving a benefit to insolvent persons. He trusted, therefore, the House would agree to the Amendment, and postpone the second reading to this day six months.

SIR DE LACY EVANS said, the noble Lord (Lord Stanley) had charged him with having adduced no argument in favour of this Bill; but that was rather a proof that he wished to spare the time of the House, having full confidence in the merits of the Bill. The noble Lord, he believed, admitted, that in 1848 he did use arguments of weight and importance, and that he did show on that occasion that a large number of persons had been disfranchised, a large majority unfairly and unjustly, because they were not insolvent, and had no intention of evading the payment of rates.

LORD STANLEY said, he wished to explain to the hon. and gallant Gentleman, what he had said was, that in 1848 the hon. and gallant Gentleman made out a case for the extension of time from three months to six months, but that there was no necessity for further extension.

SIR DE LACY EVANS said, he was glad to find that at all events the noble Lord admitted his argument on that occasion was a strong one. There had been no attempt to inquire what number of persons had been disfranchised since, because the judgment passed on the 13th of last month in the Court of Common Pleas was considered the most conclusive reason for a change in the law which could by possibility be offered. With regard to the remarks of the hon. and learned Gentleman the Attorney General, he really must assume, unless he were corrected, that the hon. and learned Gentleman had not taken the trouble to read the judgment of the Court of Common Pleas. [The ATTORNEY GENERAL: Hear, hear!] Nothing was more clear than that the hon. and learned Gentleman was entirely unconscious of the question at issue. The fact was, that the extension of the time from three to six months had had the effect of misleading the public altogether. Payment of taxes was made half-yearly by order of the Treasury, as being more convenient, and the circumstance was overlooked in putting in the date of the 5th of January. It had since been found out that although by the legal direction of the Treasury no demand was made for taxes due on the 5th of January, yet if the voter did not go and search for the tax collector, and pay the amount before it was demanded, he lost his vote. The consequence was, that the Bill of 1848 secured no extension whatever, and the limit still remained at three months. This was delusive to the voter, and had been declared delusive by the Court of Common Pleas. Would the House then stultify itself, and refuse to correct an error which might lead to the disfranchisement of thousands of electors? The hon. Member for Montrose (Mr. Hume) had given himself unnecessary trouble the other night, in asking whether it was the intention of the present Government to extend the franchise, as he might be quite sure, from what now occurred, that the desire of Her Majesty's Ministers was not to extend but to restrict it.

SIR ALEXANDER COCKBURN said, it did appear to him, that by the present plan of collecting taxes a delusion was practised on the voters, and that something ought to be done, either by the House or the Treasury, to put matters on a more satisfactory basis. No man paid taxes until he was asked. The law required, in order to give the franchise, that taxes due up to a given period should be paid by the parties claiming the vote, and they were not asked for those taxes till the time was gone by when, by the Act, they ought to have been paid. He did not say it was intentional that the order of the Treasury should have that effect. He did not say hon. Gentlemen opposite wished to disfranchise voters; but if the Parliamentary franchise was to turn upon the payment of taxes, they ought not to have the practice of collecting those taxes in disunion with the law requiring payment within a given period. If they did not ask for the taxes before the period had expired, it was clear they put the voter in a position of great disadvantage. All he asked was, either that the practice of the Treasury should be altered, or that by some legislation they should assimilate the law to it.

MR. WALPOLE thought the hon. and learned Gentleman had entirely mistaken the question before the House. The rate-paying clauses were inserted in the Reform Bill for two purposes: to obtain distinct evidence of occupation in respect to the property for which the voter claimed the right to vote, and to have the test of his credit, respectability, and independence. Whether they should continue the Reform Act on those principles was a distinct subject for discussion, which ought to be brought before the House on a distinct Motion, and not confounded with the question whether six months was a sufficient time for the payment of those taxes in respect to the qualification for which the voter claimed to vote. [Sir DE L. EVANS: We want a *bonâ fide* six months.] However he would first refer to the rates and then to the taxes. If any rate was imposed any time before the 5th of January, there was clearly from the 5th of January to the 20th July for payment. The Poor Rate was the principal rate, and they all knew there was hardly an exception to the rule of demanding the poor-rate within a month or two of the time of the rate being imposed; so that in point of fact the voter had the right secured to him of notice from at least the month of March to the 20th of July. The amount could only be a few shillings, and he had those months for the payment of a few shillings. The real question was whether giving six months, or four months at least, after notice, was not a sufficient latitude in point of time. With regard to the assessed taxes, upon which, he presumed, his hon. and learned Friend rested his argument that a delusion was practised, he thought he would find he was totally mistaken. The obligation was to pay all assessed taxes due and payable in respect to the premises for which the voter claimed to vote on the 5th of January preceding, or, in other words, to pay the Assessed Taxes for the house he occupied for the preceding year. The assessed taxes ran from the 5th of April to the 5th of April following in respect to the premises occupied in that preceding year. The first half-year of those assessed taxes became payable long before the month of January, and there was the period from January to

July for payment. He should agree with the hon. and learned Gentleman, that it was reasonable to require an alteration if he could show that either rates or taxes were not invariably payable at a period which allowed the voter some three or four months before he was called to pay those taxes. Under all the circumstances he certainly thought there was no justification for any alteration in the time allowed for the payment of taxes as a qualification for the exercise of the franchise.

Mr. CROWDER thought the right hon. Gentleman (Mr. Walpole) had fallen into a great mistake as to the payment of assessed taxes. It was to that point that his hon. and gallant Friend (Sir De L. Evans) referred when he spoke of a body of persons being disfranchised by the decision of the Court of Common Pleas. He begged permission to state the position in which he understood the matter practically to stand with reference to the collection of these taxes. They might or might not be due quarterly. Undoubtedly some lawyers maintained the one proposition on one side, and others the other, but practically that did not affect the question as to the way in which these taxes were collected. It was well known, and he thought it was well known by his right hon. Friend (Mr. Walpole), that the collection of assessed taxes was by the half-year, and that two quarters became due in April and October. The two quarters falling due in April included a quarter due in January, and the collection of those two quarters which terminated in April was made in the month of July, and in the month of July the collector might call for the payment of those quarters, which would include the quarter due in January, and not before, and therefore in truth it was a delusion on the part of the payer of these taxes, if, not being called on, without the slightest disposition to avoid payment, he was disfranchised. He thought his hon. and learned Friend the Member for Southampton (Sir A. Cockburn) had put the matter in its true light, and he fully agreed with him that there ought either to be legislation such as that proposed, or a different mode of collecting these rates, so that practically the parties might have six months for their payment.

Question put, "That the word 'now' stand part of the Question."

The House *divided :*—Ayes 67; Noes 103: Majority 36.

Words *added :* — Main Question, as amended, put, and *agreed to ;*—Second Reading *put off* for six months.

The House adjourned at a quarter before Two o'clock.

HOUSE OF LORDS,

Thursday, December 9, 1852.

Minutes.] *Took the Oaths.*—Several Lords.
Public Bills.—1^a Commons Inclosure.
3^a Oaths in Chancery, &c.; Bank Notes.

The House met; and having gone through the business on the paper,

House adjourned till To-morrow.

HOUSE OF COMMONS,

Thursday, December 9, 1852.

THE WEST GLOUCESTERSHIRE ELECTION.

Mr. HUME presented a petition from Mr. Grantley Berkeley, setting forth the violations of the law which had taken place at the last election for West Gloucestershire. The petitioner prayed the House to institute a full inquiry in the matter complained of. He (Mr. Hume) presumed that the House would not refuse to entertain the petition, as it did not contain any allusion whatever to the sitting Members, and could not, therefore, be said to come within the limits of an election petition.

Mr. GRENVILLE BERKELEY moved that the petition be read by the Clerk at the table.

The Clerk having read the petition,

Mr. SPEAKER said, that the present petition was open to the same objection as the one which had been previously offered and withdrawn—that was, that it was a petition complaining of an undue return, in consequence of bribery and corruption having been employed to influence the return of an hon. Member of that House. That being the case, and the petition not having been presented within the time prescribed for the presentation of election petitions, it could not be received.

Mr. HUME said, he wished to know if it was to be understood that the door was henceforth to be closed against all inquiry in such cases, when the complaining parties were not in a position to bear the expense of prosecuting an election petition. The object of the Bill of the noble Lord the Member for London (Lord J.

Russell) it was generally supposed, was to meet cases of this kind. The petition was worded, as far as possible, so that it should not be regarded as an election petition, nor was there any thing in it, as far as he saw, that could affect the seat of the sitting Member. There could be a Commission issued to inquire into the facts, and place them before the country, exposing the violence and contravention of the law which had taken place.

Mr. HILDYARD begged to remind the House of a petition presented in the last Parliament of a similar nature, in which precisely the same question was raised. That petition, which had reference to the then recent election for the Falkirk burghs, alleged that treating had been carried on to an alarming extent, and prayed for inquiry; but the then Attorney General (Sir A. Cockburn) held that the allegations of the petitioner were such as, if proved, would amount to those of an election petition; and that as no election petition had been presented within the prescribed time, it was not competent for the House to deal with the question; and according to that view the House decided. Now, with this decision before them, it was impossible, he thought, for the House to entertain the present petition.

Mr. HUME would ask if he was to understand that complaints of infractions of the election law, were not in future to be inquired into by that House, except when brought before them by means of the costly process of an election Committee? If any mode was pointed out by which an inquiry could be obtained, he was ready to adopt it.

Mr. T. DUNCOMBE said, that the question before them was, whether this petition referred to matters that could be inquired into in the ordinary way before an election Committee, or under the Corrupt Practices at Elections Act? It appeared to him that the complaint was against certain individuals who had spent their money at the election in favour of a particular candidate, and not generally against a constituency. If the petition charged the constituency in general with corruption, then no doubt, under the Act he had referred to, it would have been open for his hon. Friend to move an Address to the Crown to institute an inquiry; but, as far as he understood it, it did not.

Mr. HUME said, he was only anxious that some investigation should take place, and was willing to be guided by the authority of the Chair.

Mr. SPEAKER: Then my opinion is that the petition should be withdrawn.

THE FINANCIAL STATEMENT—THE BUDGET.

Mr. HUME said, he begged to inquire whether the right hon. Gentleman the Chancellor of the Exchequer would detail the course which he intended to pursue with regard to the public business of to-morrow? By the paper which he held in his hand, he saw that the right hon. Gentleman proposed to bring forward—first, the question of the Inhabited House Duties; second, that of the Tea Duties; third, that of the reduction of the duty upon Malt; and, lastly, the Property and Income Tax. The House must vote separately upon all these propositions, and he wished to know whether one vote was to decide the fate of all.

The CHANCELLOR of the EXCHEQUER said, he desired that the decision of the House should be taken upon the whole of the financial scheme. He understood that to be the wish of the House, and it was certainly the wish of the Government. It was for that reason he had placed all the Resolutions upon the table. It would of course be necessary formally to take the decision of the House upon the first Resolution, but he would look upon that decision as conclusive of the general policy they had recommended.

Sir JOHN SHELLEY begged to give notice that he would move, as an Amendment of the right hon. Gentleman's Resolutions, that the whole subject should be postponed until after the Christmas recess.

The CHANCELLOR of the EXCHEQUER begged to state that with respect to the Committee which he should move the House to resolve itself into, it had been a question whether it should be a Committee of Ways and Means, or one upon the Bill. He had consulted the highest authority upon that subject, who was of opinion that it might be either. It was his intention, therefore, to propose with respect to the first Resolution, that the House resolve itself into a Committee of Ways and Means, and upon the Tea duties he should move that the House go into Committee upon the Bill.

Mr. FREWEN said, he would now give notice that he should move, as an Amendment upon the Malt Resolution, that the Duty on Hops be repealed altogether.

Sir De LACY EVANS said, as he observed a difference between the Financial Statement and the Resolutions which were laid upon the table of the House, he should wish to know whether the right hon. Gentleman the Chancellor of the Exchequer had abandoned his original intentions?

The CHANCELLOR of the EXCHEQUER said, that in Resolutions of this nature it was not customary to explain the reason of any alterations. But it was not his intention to alter in any important point the general statement which he had the honour of submitting to the House on a previous occasion.

Subject dropped.

THE AUCKLAND ISLANDS—MR. ENDERBY.

Mr. MILLER said, he would beg to ask the right hon. Secretary for the Colonies whether Mr. Enderby had been recalled from the Auckland Islands; if so, the circumstances under which his recall had taken place; and whether the right hon. Baronet had any objection to place upon the table of the House the Correspondence relating thereto, together with a Copy of any grant, lease, or charter made in relation to the Auckland Islands, either to Mr. Enderby or any other person or persons; also whether it is the intention of Her Majesty's Government to appoint any other Governor in the place of Mr. Enderby, or to take any steps with a view to the colonisation of the said Islands?

Sir JOHN PAKINGTON said, in the first place Mr. Enderby had not been recalled from the Governorship of the Auckland Islands, therefore, he could not state the circumstances under which that recall took place. He would beg to remind the hon. Member of the circumstances under which Mr. Enderby came to the appointment of Lieutenant Governor of these Islands. In 1848 a lease was granted by the Crown to a Company for the purposes of the whale fishery, and Mr. Enderby was sent out by that Company as their Commissioner, and it was in compliance with the Company's request that Mr. Enderby received from the Crown the Commission as Lieutenant Governor that he might preserve order in the Islands. At a subsequent period the Company became dissatisfied, and sent out other Commissioners, who prevailed on Mr. Enderby to send in his resignation. The whole of the circumstances had been brought to the notice of the Governor of New Zealand, and a report was expected from Sir George Grey, under whose jurisdiction the Auckland Islands were, and, pending the Report, Mr. Enderby's resignation had not been accepted. Under these circumstances his answer must be, that the Government had no intention of sending out any Governor in place of Mr. Enderby, or of taking steps to colonise these Islands.

THE SUGAR DUTIES.

Mr. J. WILSON said, he wished to call the attention of the House to the effects of the Sugar Acts of 1846 and 1848 upon the British Sugar Colonies, and upon the Sugar Trade of the United Kingdom. It might, perhaps, be objected that, after the speech made the other night by the right hon. Gentleman the Chancellor of the Exchequer, he ought not to persevere with this Motion; but he felt it his duty to draw the attention of the House to this subject, not for the purpose of placing the Government in an unpleasant position, but in order that the anxieties of the Colonists might be put an end to upon this most important subject. On Friday last the right hon. Gentleman the Chancellor of the Exchequer stated what he intended to do with regard to the Colonists, and if he had confined himself to that statement, he (Mr. Wilson) should have been satisfied to have let the question rest where it was. But the right hon. Gentleman, not merely content with stating what he intended to do, thought proper to impugn the acts of that House, on this question during the last four or five years, as acts of injustice and harshness towards the West Indian Colonies. Now, he thought that if these acts thus stigmatised were capable of vindication, they should be vindicated, and if they were not, that justice should be afforded to the Colonists; and it was because he took the former view of the question, that he determined to persevere with this Motion. The exact position in which the question now stood was this. It might be recollected that about a year ago they had information that the great battle to be fought between the two great parties in that House would be upon the question of the Sugar Duties. And they were aware that a very extensively organised system—he did not say that the right hon. Gentleman was connected with that organisation—had been established throughout the whole of the Sugar Colonies, by petitions to Parliament and otherwise, for the purpose of repealing or arresting the descending scale of the Sugar Duties. When Parliament met on the 3rd of February, the result of this agitation manifested itself. On the first night of the Session, the right hon. Baronet the Secretary for the Colonies came down to the House and put a notice upon the books, asking the House to go into a Committee upon the Sugar Duties. A change of Government took place, and the notice was changed from the 21st of February to the 27th of the same month, and it was ultimately allowed to drop. Soon after the new Ministry was formed, he (Mr. Wilson) put a question to the right hon. Gentleman—then become Secretary for the Colonies—whether he intended to persevere with the Motion of which he had given notice? The right hon. Gentleman's reply was this:—

> "Sir, I felt it to be my duty, as a member of the Opposition, to press upon Her Majesty's Ministers what I believed to be the disastrous effects of their own acts. I refer to the Act of 1846, modified by the subsequent Act of 1848, regulating the duties on sugar. Sir, as a member of Her Majesty's present Government, which is in an acknowledged minority in this House, I conceive it to be no less my duty to take whatever course I may think best for the promotion of the object we have in view; and we do not think that it would tend to the relief of West Indian distress if we were, during the present Session, to press forward views and plans against which there are recorded majorities on several occasions during the present Parliament. Sir, we further think that there is nothing in the question of the Sugar Duties sufficiently special or sufficiently exceptionable to justify us in making it an exception to that intention on the part of Her Majesty's Government, which has been announced in another place by my noble Friend the Prime Minister, that intention being not unnecessarily to press upon Parliament during the present Session those controverted questions of policy which we think it best to reserve for the judgment of another Parliament. Sir, for these reasons it is not my intention to bring forward during the present Session the Motion to which the hon. Member for Westbury has alluded. But, Sir, I must beg leave to add one word more. The opinions which I have repeatedly expressed in this House upon the Acts of Parliament regulating the duties on sugar, whether in relation to their effects upon the British Colonies, or in relation to their effects on the great question of slavery and the slave trade, have undergone no change whatever. On the contrary, I am now receiving, almost daily, the most painful proofs of the distress which has existed in the British Colonies; but, without being at all indifferent to that distress, we have determined that those questions, like others of the same nature, ought to be kept for the consideration of a future Parliament, reserving distinctly to ourselves the right hereafter to deal with this question, if we shall be in a position so to do—to deal with this question in such a manner as we shall consider to be required by the justice of the case, and by a due regard to the interests of all classes of Her Majesty's subjects." [3 *Hansard*, cxix. 1036.]

At the same time the noble Lord at the head of the Government said in the other House on the 10th of June—

> "Whatever other alleviation might be afforded to the distress of the planters, they could only be enabled effectually and permanently to meet the competition of foreign countries by some measure which should have the effect, if not of establishing the old differential duties, at least of preventing the further reduction of those which now subsisted between British and slave-grown sugar."

As a matter of course, all persons interested in colonial matters were greatly anxious to know what the views of the Government might be after the general election. It was quite true that petitions had come in from all our Sugar-growing Colonies, signed by all classes of persons, portraying distresses of an unexampled character, and that there had been no cessation of anxious effort on the part of the Colonists, and of those who represented them in this country, to press on the House, and on the country, the distress of the Colonies, and the claims they conceived themselves to have on the Government and on the Legislature of the home country, in consequence of what they deemed—supported by the opinions of the present Government while in opposition and since—the harsh and unjust legislation of recent years. That very evening the right hon. Secretary for the Colonies had presented a petition in this sense from the merchants of Liverpool—the second presented by the right hon. Baronet from that place on that subject within the last few days. It was therefore highly expedient, the Government having virtually given up this question, which they had so long sustained, that the Government should state to the House, and to the public, and to the colonists, why it was that, upon further reflection, they had changed their views, and given thus, so far, a vindication of the course which the Legislature had lately pursued on this subject. He would, in the first place, call the attention of the House to the circumstances in which the sugar trade stood in 1845, when the law was first altered. It might appear a very remarkable fact, but nevertheless it was a fact, and a fact of great significance, that for thirty-five years preceding that time the consumption of sugar in this country might be said to be entirely stationary. In 1810, according to a Parliamentary paper which he held in his hand, the consumption of sugar in the United

Kingdom was 196,000 tons. From 1810 to 1830, during which period the planters had the advantage of slavery, so far as labour was concerned, and of an exclusive monopoly of the markets of this country, the consumption never reached the amount it was in 1810. In 1830 it was 202,000 tons, and from that period to 1844 it remained almost stationary, being, in 1844, only 206,000 tons. It was impossible for the Government of the day to look at that simple fact—that the supply of so necessary an article as sugar remained stationary whilst the population was rapidly increasing—without being convinced there was something extremely wrong in the laws which regulated that supply. Such being the state of things from 1810 to 1844, he would next direct the attention of the House to what had occurred from 1846 to the present time. An objection had been taken to the statement of the right hon. Chancellor of the Exchequer the other night on this subject. He (Mr. Wilson) could see, that while the right hon. Gentleman was speaking, some of his supporters behind him were discussing the subject among themselves, and seemed to think that the year to which the right hon. Gentlemen had referred was an exceptional year, and that it was unfair to take a single year's importation of an article so fluctuating in regard to quantity and subject to such exigencies in regard to its crop as the tropical article of sugar. His (Mr. Wilson's) attention had been drawn to that point by the West India Association of Glasgow, marking the following passage in a pamphlet they had sent him:—

> "With reference to the year 1851 [the year to which the right hon. Gentleman referred], the above comparison shows moreover most clearly that any inference unfavourable to the claims of the West Indies founded on 1851, must be untenable, and that in such a complicated question no safe conclusion can be based on the returns of any single year."

He admitted the force of that argument, and, perhaps, the right hon. Gentleman's reference to 1851 might be open to that remark. But he would take the consumption of sugar during the three years preceding the alteration of the law in 1846, and the consumption during the last three years since that alteration. They would then have a fair average, to which that objection could not possibly apply. The consumption of sugar during the three years ending 1844, was 207,000 tons; during the three years ending 1852, it was 382,000 tons. But he might be told by the noble Lord opposite (Lord Stanley), that although there had been that large increase in the consumption of sugar, yet it was a poor consolation to the West Indies if it happened that the largest portion of the increase was in foreign slave-grown sugar. So far, however, from that being the case, during those three years preceding the alteration of the law, the importation of sugar from the West Indies was 127,000 tons, and in the last three years, under the Act of 1846, 147,000 tons. From the Mauritius, during the first three years to which he had referred, the quantity was 30,000 tons; during the last three years, 48,000 tons. From the East Indies, during the first three years the quantity was 49,000 tons; during the last three years, 68,000 tons. Taking the aggregate of the British possessions, the total importation during the three years preceding the Act was 209,000 tons; and during the last three years, under the Act, 264,000 tons. So that, taking the sugar productions of the British possessions, exclusive of foreign, there had been an increase of 50,000 tons in the average of the last three years, compared with the three years preceding the Act of 1846. And if they took the first and last year, they would find a much more striking result. In the first of those years, the consumption of British Colonial sugar amounted to 216,000 tons, and the last year of all it amounted to 309,000 tons. That was a conclusive proof that the consumption of sugar in this country had increased nearly fifty per cent during the last six years, and had remained stationary during the preceding thirty-five years. By the Act of 1846, an immense amount of sugar had been released for the benefit of the consumers, which had been excluded before, and the British possessions had shared a portion of that advantage larger than that of Foreign Colonies. The noble Lord the Under Secretary of State for Foreign Affairs published last year a pamphlet on this subject, and deserved infinite credit for the industry and trouble with which he had collected facts with regard to the West Indies; but on those facts he could not so completely rely as on official returns made to that House. He would not for a moment impute—on the contrary, he knew it was not the case—that the noble Lord had been careless or indifferent as to the sources from which he had derived his information; nor would he impute to the gentlemen from whom he derived that information the slightest wish to exaggerate the true state of the Colonies in which they lived; but he thought it was hardly safe to rely altogether on the views of particular persons, who perhaps from circumstances independent of the law were in a state of suffering and distress. The noble Lord in that pamphlet put forward this argument, that although the consumption had increased, yet we were indebted to the East Indies and the Mauritius for the increased production and supply, and that we had been obliged to resort there to make up the deficiency in the supply from Jamaica. The whole tenor of the noble Lord's remarks, indeed, went to show that, so far as regarded the West Indies and the more important of our Colonial possessions, the produce of sugar was rapidly declining, and the state of those Colonies altogether degenerating. Now, here again he was most desirous to treat the subject fairly, and, in order to do so, he should avoid the fault of selecting particular years for the purpose of making comparisons. The Sugar Act was passed in 1846, and it might well be supposed all its effects would be visible in the five years succeeding. The fair way was to take an average of the result during those five years as compared with the five years immediately preceding the passing of that Act. He was referring to Parliamentary Paper No. 53 of the last Session, which gave the production of sugar for a series of years, from 1831 upwards, for each of the British Colonies separately and for the whole in the aggregate. From that Paper he collected the following facts, which were exceedingly interesting, and calculated to reconcile the West Indies to the Act which that House had thought right to pass, and which Her Majesty's Government most rightly and wisely intended to uphold. In the five years preceding the Act of 1846, the average importation of sugar from the British possessions was 216,000 tons; in the last five years, beginning with 1847, the average had risen to 266,000 tons; the average production of the British possessions had therefore risen 50,000 tons during these latter five years as compared with the five years preceding. But the noble Lord would perhaps tell him, as he had told the public, that this increase was attributable to the supply which had been obtained from the East Indies and the Mauritius. Now, it was quite true that these colonies had had their share of the increase. The production of the East Indies during the five years under protection, was 58,000 tons, and in the first five years of free trade 71,000. In the Mauritius in the first five years, it was 32,000 tons; in the last five years 50,000 tons. Those two facts were consistent with the noble Lord's argument; but taking the West Indies, he thought the House would perceive the conclusion of the noble Lord was not consistent with fact. In British Guiana the average production of the five years under protection was 24,000 tons; in the five years under free trade it had risen to 30,000 tons. In Trinidad the average production of the five years under protection was 16,000 tons, and the average production of the five years under free trade was no less than 20,000 tons. In Jamaica, the most important Colony of all, which was the only colony in the West Indies in which the production had been stationary, the average in the five years under protection was 32,800 tons, and in the five years under free trade, 32,100 tons. When they considered the extraordinary afflictions which had visited that island; when they considered that they had lost in one year 40,000 labourers by cholera alone, and a large number by smallpox, which succeeded; when they considered they had been called on to send back the Coolie immigrant labourers; it could not be a matter of surprise that in the five years under a system approximating to unrestricted competition, the planters of Jamaica had only been able to keep the ground which they enjoyed under absolute protection. In Barbadoes, in the last five years of protection the average was 16,500 tons; in the first five years of free trade it was 24,600 tons; being an increase of nearly 50 per cent in that single Colony. If they took the West Indies, as an aggregate, being the particular part of the British Empire said to be the most suffering, they would find in the five years preceding the Act of 1846, the average production was 124,000, and in the last five years under free trade, it was 144,000 tons, so that in that portion of the British Empire said to be most hardly treated, there had been a larger production under free trade by 20,000 tons annually, than under a restricted monopoly. He could even go a step further. It was not necessary to his argument, but it was necessary as reconciling those who thought themselves hardly dealt with by that House to a fate to which the present Government had decided they should be submitted. He would go to the time of slavery, when they had the advantage of the slave trade and the advantage of an absolute monopoly of this market, and he would show them that the average production was considerably larger now than during the last five years of slavery and protection combined. From 1831 to 1835 the average production of the whole British possessions was 221,000 tons, while the average production of the whole British possessions in the last five years of free trade was 266,000 tons. So that, whether they viewed the sugar possessions belonging to this country as subsisting under a state of slavery, with the advantage of protection and absolute monopoly, or whether they viewed them under a state of free labour, with the advantage of the monopoly prior to 1846, they found that in either case the production of those Colonies had enormously increased, and that during the last five years, under unrestricted competition and free labour, that increase had been greater than at any former period under slavery and strict monopoly. It was said by the right hon. Gentleman the Secretary of State for the Colonies, that the Act of 1846 had had a prejudicial effect in encouraging the slave trade. He would do the right hon. Gentleman the credit to say that among numerous arguments, such was the reason which he urged for the line he took, and he was quite willing to admit that the view the right hon. Gentleman adopted was sympathised in by this country, and had for its object motives much larger and more defensible than ever were connected with commercial restriction. They were told, that although the production of sugar had increased in the British possessions, yet they had given a great impetus to production in the Slave Colonies, and thereby contributed, most inconsistently with their professions, to the encouragement of the slave trade. But what were the facts? It was true that while in 1846 the production of sugar in Cuba, Porto Rico, and Brazil, amounted to 342,000 tons, it had increased in 1852 to 406,000 tons, or 18 per cent. But this increased production was not the result of any increase in the slave trade, because there was reason to believe, from a paper which was laid before the House at his (Mr. Wilson's) request in March last, that no increase of the slave trade took place during the period to which he had referred, at least to such an extent as would account for the increased production of sugar. It appeared that in 1846 the importation of slaves into the Brazils was 50,324. It was not pretended that the importation of slaves in 1846 could in any way have been the consequence of the Act passed towards the close of that year; but the importation of slaves had dwindled down in the year 1851 to 3,287. It must be a most consolatory reflection to the right hon. Gentleman to think that, notwithstanding the Act of 1846, which at the first blush might be supposed to give encouragement to the slave trade by encouraging the production of slave sugar, the number of slaves imported into the Brazils had during the last five years sunk from 50,324 to 3,287. He did not find either that there had been any reduction in the quantity of sugar produced; on the contrary, the production in the Brazils had increased. In Cuba, he had reason to believe, down to a recent period, there had been a sincere anxiety to put an end to the slave trade, and it appeared that in 1851 only 5,000 slaves were imported into that island. It was not his duty to show that the Act of 1846 had had any effect whatever in reducing the slave trade. He did not pretend it. All that he wanted to show was that it had had no effect in increasing the slave trade. He said the slave trade had diminished, but he did not say it was in consequence of the Act of 1846. At the same time that he moved for the paper to which he had just referred, he moved for another paper which threw some light on the subject. It was a return of the quantity of machinery of various descriptions which had been shipped from this country at two periods, namely, in 1845 and 1851, to those slave-producing countries, for facilitating the production of sugar. In 1845 the official value of the machinery, the wood, iron, and copper, exported to Cuba and the Brazils, was 50,700*l.*; and in 1851, instead of 50,755*l.*, it was 158,771*l.* All that he wanted to show was, that although there had been a considerable increase in the production of sugar, it was not owing to an increase of slaves, but to the more legimate influence of an increase of machinery from this country. Then it was said that the planters of the West Indies had not had the same advantages as the planters of Cuba and Brazil with regard to capital; but the reverse was the fact, because any one who looked at the Reports, in 1848, of the Committee on which he and the right hon. Gentleman the Secretary for the Colonies had the honour of serving, would see that the whole evidence of that Committee went to show that in Cuba and those countries where slave labour prevailed, the interest of capital was about 12 per cent; and while those planters were increasing their production by the employment of capital on which they paid 12 per cent, our planters were charged by their agents in this country not more than 5 per cent. Turning to the quantity of machinery shipped to the British possessions, he found the official value in 1845 was 225,000*l.*, and in 1850 only 138,000*l.* He thought that return would have given a very different result if the British planters had made up their mind to the change in the law, if they had not been deluded by fallacious hopes, by Motions made continually, year after year, in that House, which led them to believe they would recover some part of that protection which they had lost. He thought if they had, like the people of Porto Rico and Cuba, applied more machinery they would have improved the quality and increased the quantity of sugar more than they had done. These few facts demonstrated that the increased production of the slave colonies was not by the bone and sinews of the slaves, but by the encouragement of English artisans making machinery in which they invested capital, and were enabled to improve the quality and increase the quantity of their production. Although the advantage of machinery was on the side of foreign countries, he was prepared to show the increased production of the British possessions was even larger than theirs. He found, as he had already stated, that in 1846, the production of Cuba, Porto Rico, and the Brazils, was 342,000 tons, and in 1851, 406,000 tons. The production of the British Colonies was, in 1846, 220,000 tons, and by the last Report, 305,000 tons. So that, while the increase in those five years in those foreign countries was 18 per cent, in the British possessions it was 38 per cent. Therefore, notwithstanding the disadvantage of an unsettled state of the law by continual agitation out of the House, and by continual Motions in the House, under all the difficulties with which they had been surrounded—and he did not deny those difficulties, but he was ready to trace them to their right cause, if he thought he was justified in inflicting such a statement on the House—it was highly to the credit of those men, and highly characteristic of that energy which marked the British people, that while the slave-producing colonies had increased their production 18 per cent, the British possessions had increased their production 38 per cent. It was quite obvious from the first, when they embarked in this controversy, most interesting and hardly fought as it had been, that it was impossible not to put in the van of consideration the interests of the consumer at home. He had shown that for years they had pursued a policy which confined the consumption of so necessary and common an article of food as sugar to the same quantity for thirty-five years. It would have been quite impossible, and if possible unfair and impolitic, to have allowed such a state of things to exist. What had been the effect on the consumer of the alteration of the law in 1846? In 1845, the amount consumed was 207,000 tons a year, which at 60*l.* a ton, would represent 12,420,000*l.* expended in the article of sugar. Supposing the duties to have remained the same, and the supply the same, what would have been the difference to the consumer? Taking the 382,000 tons purchased this year at the same price, it would be no less than 22,920,000*l.*, so that the consumer was at the present time enjoying an absolute advantage equal to 10,000,000*l.* a year by the alteration of the Sugar Duties. But then they were told, perhaps, the revenue had suffered. When duties were reduced, the inference was that the revenue would suffer; but he would here call attention to a fact which must afford a great encouragement to Her Majesty's Ministers to pursue the policy which, he thought wisely, they had marked out for themselves. In 1846 the duties paid on sugar were at the rate of 25*s.* on colonial, and 63*s.* on foreign, and 5,000,000*l.* was the amount of revenue produced. The duty on rum was 9*s.* 10*d.*, and it produced 981,000*l.*, making a total of 5,981,000*l.* After reducing the duties from 25*s.* to 10*s.*, and from 63*s.* to 15*s.*, the revenue for the present year, on the 5th of July last, stood thus: Sugar, 4,346,000*l.*; rum, 1,100,000*l.*; making a total of 5,446,000*l.*, as compared with 5,981,000*l.* before the duties were altered. So that during this short period, excepting 500,000*l.*, the whole revenue had recovered, whilst they had conferred on the consumers of the country the real advantage of 10,000,000*l.* annually. Taking into account the increased supply from the plantations, the planter found his receipts larger at the present diminished price than at the former higher prices. A fair average price previous to the introduction of slave-grown sugar was 35*l.* a ton, at which rate 207,000 tons would amount to the gross value of 7,245,000*l.* The present price might be taken at 25*l.* per ton, and the present production, 309,000 tons, would amount to the gross value of 7,725,000*l.* So that, as far as the planter was concerned, the gross price he received for his sugar was larger by more than 500,000*l.* than what he received with the higher price and smaller production. But then it was said he did this at a much greater cost. He believed, as the noble Lord (Lord Stanley) pointed out in his pamphlet, that the planter had not only the advantage of a reduction in the price of labour, from a more continuous supply of labour, but a reduction in the prices of a number of articles with which he supplied his estate. He (Mr. Wilson) met the other day with a paper, with which the right hon. Gentleman the Colonial Secretary was doubtless conversant, containing the evidence taken in the island of the Mauritius, upon a question relating to the currency of that island, which had disturbed the equanimity of the people there, and was not easy of solution at home. He found in that evidence which, was laid before Parliament about two years or eighteen months ago, a very singular admission, which was so extremely pertinent and apt, as showing those advantages of reduction in the price of general articles, that, being very short, he would read it to the House. Mr. Robinson, a large planter in the Mauritius, and a merchant of great eminence, whose opinion was very valuable, talking of the currency of the island, and adjusting the exchanges, said—

> "I conceive that the balance of trade is 600,000*l.*, and we are realising 50,000*l.* in paper. The cost of raising sugar is at least 16*l.* or 17*l.* per ton. The cost of all articles imported from England is now so low, that if we require only the same quantity of goods, then the balance is in our favour."

In rice alone he estimates the saving at 800,000*l.* last year and this year, as compared with preceding years. Now, here was an article, a first necessary of life, with which the planter had to feed his labourers; 800,000 dollars, upon a crop of 60,000 tons, gave a saving of about 18 per cent upon the value of the whole crop of the island in rice alone. There was a great deal of evidence offered before the Committee of 1848 as to the cost of producing sugar, and it was stated at about 20*s.* per cwt, or 20*l.* per ton, in the Mauritius. He (Mr. Wilson) had been informed lately by, he believed, the largest planter in Trinidad, that the cost of producing sugar there, had been reduced to 13*s.* per cwt. now; and with regard to the Mauritius, he had been informed, within the last month, by a gentleman who believed, in 1848, that without protection Mauritius was doomed; that he believed the whole crop this year would not average more than 10*s.* a cwt. But sugar was not the only article in which the West Indians were interested; there were other productions, if not equally important, yet very important to them. Now, during the five years preceding the adoption, in 1846, of "that fatal policy which was to ruin the Colonies," the production of coffee in the British possessions was not quite 27,000,000 lbs.; in the last five years it was above 38,000,000 lbs. No doubt, if the noble Lord (Lord Stanley) took the case of the West Indies alone, he would find a large falling-off, and a proportion of this increased production was from Ceylon; but the question must be viewed as a whole, and you could not separate one Colony from the rest, or exclude any part of our possessions from all fair advantages. Of cocoa the production in the five years preceding 1846 was 2,400,000 lbs., while in the five years following that date, there had been an augmentation of production to the extent of 3,028,000 lbs. In rum, also, the increase had been very large. In the five years preceding 1846, the production amounted to 3,859,000 gallons, while in the last five years it had reached 5,324,000 gallons; and all this had occurred under the "fatal" system of free trade. Whatever view, therefore, was taken of the facts—whether the enormous increase in the production of sugar or rum was looked to—or whether hon. Members looked to the great diminution which he had shown to have taken place in the cost of production, it was to his mind a plain and clear fact that these Colonies, if they were not now prosperous, were at least more prosperous than they were before. Whatever ground, therefore, there might be for the allegation that the West Indies were in a state of distress, that distress could not be traced to the Act of 1846, or to the consequences of that Act. The three great complaints made against that Act were, in the first place, that it would increase the slave trade; and he thought he had satisfactorily proved that this was not the case. Secondly, it was predicted that the Colonies would be ruined by it; and he believed he had shown that the Act of 1846 was not responsible for their ruin. The next complaint was that dearness and not cheapness would be the result of that piece legislation, and he believed he had satisfactorily shown that this anticipation was unfounded. It was said, that ultimately, through the ruin of the West Indian Colonies, there would be a greater scarcity; but the community found themselves supplied with a cheaper article than before, and more abundantly. There was just one subject more to which he would ask the House to allow him to refer, and it was a matter of immediate interest, because it was connected with the plan announced by the right hon. Gentleman the Chancellor of the Exchequer, on Friday last. When the right hon. Gentleman had concluded his statement on that occasion, he (Mr. Wilson) felt it his duty to ask him whether he intended refining in bond to be optional or compulsory upon all refiners. The distinction, as he should show, was a very important one. It was by no means a new question, for it was mooted in 1848. He believed that great advantages might be derived from refining in bond, but he wished to point out to the right hon. Gentleman and the House the position in which the question stood in 1849, and how it stood at the present moment. It was asserted that foreign sugars contained a greater proportion of saccharine matter than British sugars, and it was said that if the system of refining in bond were practicable, it would bring the sugar duties as nearly as possible to a system of *ad valorem* duties. If refining in bond had been practicable, he thought there was no doubt that the system would have accomplished that end. There were deputations from the refiners, and the subject was much considered; he remembered sitting in Downing-street with the then Chancellor of the Exchequer and a deputation, from 11 in the morning till 6, discussing the question. But all agreed at last that to make it at all fair you must make it compulsory. It was also found that if the sugar refiners were permitted to refine in bond it would be necessary to place them under Excise restrictions; and the question with the refiners was, whether the evil would not be greater to be subjected to those restrictions, than the advantage they would derive from being allowed to refine in bond. That question having been raised, the Government of that day was asked to defer the measure for a short period, and it was suggested that an Excise officer should be sent to the larger refining houses in London to ascertain what restrictions would be necessary for the protection of the revenue on the one hand, and the interest of the trader on the other. They did so, and at the end of three or four months the Government received a report from the Excise officer, which convinced the Chairman of the Board of Inland Revenue that it was perfectly possible for the revenue laws to be evaded unless the refining system were placed under the surveillance of the Excise. When the refiners were informed of this, they came to a unanimous decision that it would be unwise, under such circumstances, to accept the proffered boon; the proposition was therefore abandoned. Early in 1851 another agitation was got up upon the subject during a temporary depression of the refining trade, and applications of a similar character were again made to the Government. The sugar refiners of London were asked to join the refiners of Scotland, and a meeting was called in London upon the subject. At that meeting, out of thirty persons summoned twenty-two attended, and out of those twenty-two two only voted against the Resolution then proposed to be adopted, which Resolution was in these terms:—

> "That on referring to the report made by the officers of Excise when the subject of refining in bond was investigated by them in 1849, wherein it was stated that in order to protect the revenue from fraud it was necessary to impose inconvenient restrictions on the working of the sugar houses, and having fully considered the present state of the sugar trade, it does not appear to this meeting to be for the interest of the trade to press upon the Government at the present time the introduction of a law for altering the system of working the refineries."

The House should be aware that until the year 1854 the Government would have two kinds of duty to deal with—one on Colonial sugar, and the other on Foreign sugar; and if they admitted both kinds into the refinery how would they be able to apportion the duty on the two in a refined state? Upon the whole, when they considered the great complaints which were made by every trade that was subjected to the restrictions of the Excise; and when they considered that the spirit dealers, in fixing the relative duties between Home and Colonial spirits, actually claimed a difference of 1½*d*. a gallon duty because of the Excise restrictions to which they were exposed, he, for one, thought, if there were any justice in that claim, the sugar interest would do well to pause before they submitted to a system of restrictions which might add to the amount of duty they now paid to the Government. He had only made these remarks with a view to show the House that the subject was not neglected by the late Government; that every attempt was made to extend to the Colonies the advantage of refining sugar in bond, if advantage it were; and what were the difficulties the Government met with in that respect. If, however, right hon. Gentlemen opposite could satisfy themselves that they could introduce a system of refining sugar in bond which would impose no sort of difficulties either upon the Government or the parties themselves, while it would be the means of introducing a system of *ad valorem* duties on all kinds of sugar, he had no hesitation in saying that it would not only be an advantage to the refiners, but also to the Government itself. That, however, was more a question for the Inland Revenue Department than for legislation. In moving for these Returns he had only to apologise to the House for making a lengthened statement, and he should not have done so had he not thought that in the particular position in which this question now stood, it was the duty of that House to vindicate the conduct of the Parliament of Great Britain in dealing with the interests of our Colonial possessions in every part of the world. The hon. Gentleman concluded by moving for the Returns mentioned at the commencement of his speech.

Motion made, and Question proposed—

"That copies of Reports made by the Board of Inland Revenue in 1848 and 1849, in reference to the refining of Sugar in bond, be laid on the Table of the House:

"And also a Return of the quantities of Sugar, Molasses, and Rum, and the amount of Duties received thereon, in the year ending the 5th day of July, 1852; also, of the average price per cwt. of Muscovado Sugar, exclusive of Duty, from the London Gazette; and the average prices per cwt. of Havannah Sugar (ordinary Yellow), exclusive of Duty, from the London Mercantile Prices Current for that year (in continuation of Parliamentary Paper, No. 296, of Session 1852)."

SIR JOHN PAKINGTON said, the hon. Gentleman (Mr. Wilson) had addressed the House in an able speech, which evinced the extensive knowledge and accurate details he brought to bear, and had so often brought to bear, on the question; and as the hon. Gentleman had alluded to him so pointedly, as having taken a prominent part in the question on previous occasions, he trusted he should not appeal in vain to that House for their indulgence in granting him a patient hearing while he answered the speech of the hon. Gentleman. The hon. Gentleman had stated that he felt it to be his duty to vindicate the policy of the last five years: that, he thought, was a very natural desire on the part of the hon. Gentleman, and considering the active part he had taken in the question during the same period, it was no less natural he (Sir J. Pakington) should also desire to vindicate the part he had taken. The hon. Gentleman, when addressing the House on the present occasion, in a manner which he could not make the slightest objection to, proceeded throughout to take advantage of the remarkable and unexpected circumstances which the sugar trade presented this year. The hon. Gentleman availed himself of these remarkable circumstances to give to the policy of the years 1846 and 1848 the most favourable aspect of which that policy was susceptible. He could assure the hon. Gentleman and the House that so far as he was concerned, and as far as the party he represented were concerned, that with respect to the present or the future state of the question he should approach the subject in a spirit of perfect candour and unreservedness. So little was he disposed to shrink from the avowal of any change of opinion which he might have undergone, from a feeling of shame, he thought that a person ought to be always most ready to come forward and make the circumstance known when he had arrived, upon any great question of public policy, at a different conclusion from that which he had previously conscientiously entertained. In justice to himself he must premise that in reviewing the whole of this question and its details, which involved considerations of most enormous importance, not only to the vast body of consumers in England, but to those important dependencies of the Crown which send sugar to this country—that considering the important interests involved in the question, he was desirous of approaching the subject in a spirit of candour and unreserve. The hon. Gentleman had adverted to what he had done, and he must say, in reviewing all he had ever said or done on the question, he was not now disposed to retract anything he remembered to have said or to have done connected with this subject. The hon. Gentleman's figures for 1852 were figures which even the hon. Gentleman himself could hardly have expected to have seen. He was willing to admit that he had never expected to see, at least so soon, the figures which the hon. Gentleman had adverted to. He would even go a step further, and would ask the hon. Gentleman himself whether he, twelve months ago, nay, at a more recent period, in February or March last, could have anticipated that the year 1852 would afford figures such as the hon. Gentleman had described as having shown themselves within the last fortnight. It was his belief he would not have had the slightest anticipation of the kind. The hon. Gentleman stated truly, that the objections he (Sir J. Pakington) took to the policy of the noble Lord the Member for London in the years 1846 and 1848 were divided into three branches: that he objected to the policy as tending to increase the slave trade; secondly, as giving a stimulus to slave-grown products; and, thirdly, as being likely to prove deeply injurious to the sugar-producing colonies. The hon. Gentleman had stated that night, that in every one of the three objections these predictions had proved false. He was prepared to join issue with the hon. Gentleman on those points, and to show, so far from being disapproved by results, that in every one of the three cases in all respects had the predictions been verified and fulfilled. The first of these objections adverted to the question of the slave trade. The hon. Gentleman mentioned the circumstances in which the slave trade was in 1846, and he then, in a tone of triumph, contrasted them with the great, the gratifying diminution the slave trade had displayed during the last half-year. But the hon. Gentleman in his statement had neglected two important points—he did not advert to the condition of the slave trade previous to the year 1846, and he made no mention of the slave trade during the years between 1846, when the Act was introduced, and 1851. He (Sir J. Pakington) considered that it was hardly fair to take 1846 into calculation, because it was impossible that any improvement which might have taken place in the slave trade could be considered to be the legitimate consequences of the legislation of that year. Let him be permitted to call the attention of the House to the amount of the slave trade previous to the year 1846.

In 1842 the importation to Brazil was	17,435
1843	19,095
1844	22,849
1845	19,453

That was four years previous to the legislation of 1846. He would pass over the year 1846 for the reason he had stated. He came to the year 1847, when the number was 56,170, and in 1848 it had risen to 60,000. He could not pass the year 1848 by without remark. He was quoting from Parliamentary Returns. The hon. Gentleman, no doubt, remembered the Committee appointed on the Motion of Lord George Bentinck in 1848, and no doubt recollected the evidence given before that Committee by a person who well understood the whole subject, and who, on being asked his opinion as to the number of slaves imported into Brazil, stated that the number was much higher than the returns stated them to be, and that he had reason to believe that the number in that year amounted to 70,000, if not 80,000. In the year 1849 the number landed in Brazil was 54,000, and in 1850 it was 23,000. He had not cast up the amount for these four years subsequent to 1846, but the House would see that the difference was prodigiously large; and he thought, looking at the nature of our legislation in 1846, it was impossible fairly to resist the conclusion that the Act of 1846 did give an enormous stimulus to the slave trade, and was, in fact, the cause of the very great increase which the figures he had quoted showed. He now came to the year 1851, and he spoke of the fact with unqualified pleasure—the number of slaves landed in Brazil in that year had dropped down to 3,287; and he believed that in the present year the slave trade with Brazil had almost fallen to *nil.* He hoped the hon. Gentleman would not think him (Sir J. Pakington) very unfair if he stated his suspicion that the low amount of the slave trade of 1851 and the almost cessation of it in 1852 were circumstances not wholly unconnected with the enormous introduction of slaves in the four previous years. He believed that the immense importation of slaves during these four years caused a glut, and that the Brazilian Government became alarmed in consequence of so large a number being introduced. The introduction of slaves into Cuba during the four years preceding 1846 was, in 1842, 3,630;

in 1843, 8,000; in 1844, 10,000; and in 1845, 1,300. In the four years subsequent to 1846 the numbers introduced were, in 1847, 1,450; in 1848, 1,500; in 1849, 8,700; in 1850, 3,500. The number introduced last year was 5,000. But the hon. Gentleman was no doubt aware of the fact, the notorious fact, that in the last year the slave trade of Cuba was increasing. The present Captain General, he feared, was not disposed to put an end to the trade, and it was therefore notorious the slave trade was increasing in that quarter, though not to any great extent. On the first point he had shown that he was borne out in his prediction, and that the legislation of 1846 did give a great stimulus to the slave trade. He now came to the second point of objection, which was, that a stimulus would be given to slave produce. And here he thought he had some reason to complain of the manner in which the hon. Gentleman had treated this part of the subject. No doubt the hon. Gentleman used figures which best suited his own view of the case; but he (Sir J. Pakington) was prepared to show, so far as he was allowed to draw an inference from facts, that the Act of 1846 did give an enormous stimulus not only to the slave trade, but also to the produce of sugar by slave labour; and that, while this country had been making prodigious efforts to abolish that disgraceful trade, and to put an end to slavery, the unhappy legislation, as he must call it, of 1846 had had the effect of that which he had anticipated—the forcing of the produce of sugar by slave labour. The hon. Gentleman was, no doubt, aware that the information obtained in this country as to the amount of the trade of Brazil in sugar was rendered rather difficult to be understood, because it was imported in boxes and cases; he had, therefore, had the mean contents reduced to cwts. The hon. Gentleman, it should be observed, did not touch upon the state of the sugar market prior to 1846; he only admitted an increase since 1846. He begged the attention of the hon. Member and the House to the figures he should read. The average exports from Cuba for the four years before 1846—for the four years ending 1845—were 3,191,706 cwt.; the average exports for four years ending 1850, passing over 1846, were 4,945,814 cwt.; showing that in four years after the Act of 1846, the exports of Cuba had increased by 1,754,108 cwt. With regard to the Brazils, the average exports for the year ending 1845 was 1,099,234 cwt.; the average exports for four years after, excluding 1846, was 1,320,956 cwt.; showing that in the four years after the Act of 1846 the exports from Brazil had increased 221,722 cwt. over those of the four years ending 1845. He held in his hand a return showing the increased importation of sugar from the two principal slaveholding countries, and it appeared that for four years previous to 1846 the amount was 4,290,940 cwt., and for the four years ending 1850, 6,266,770 cwt., showing an increase of 1,975,830 cwt. He thought he might appeal with some confidence to these figures, to show that our legislation of 1846 had greatly stimulated the production of sugar in slaveholding countries. He now came to the third of the points on which he joined issue with the hon. Gentleman—namely, the effect which our legislation had had on our sugar-producing Colonies. The hon. Gentleman had dealt with this part of the subject with a boldness which had astonished him. That the consumer in this country had derived great benefit, he (Sir J. Pakington) was perfectly and willingly prepared to admit. That sugar—the imports of which to this country had from 2,400,000 cwt. at the beginning of this century increased under the system of slavery to 4,000,000 cwt., and had now swollen to upwards of 6,000,000 cwt.—had been cheapened enormously by recent legislation, he perfectly admitted, as he did also that the comfort of the British consumer had in consequence been greatly promoted, the revenue had not from the great decrease of duties greatly or in any considerable degree fallen. The statement of the hon. Member with reference to the condition of the West Indian Colonies was one for which he (Sir J. Pakington) was not prepared, and from which he entirely disagreed. He hoped the House would forgive him if he brought forward some new proofs of the tremendous suffering inflicted on the Colonies—a degree of suffering which he could not approach without the most painful feelings, and which was greater than in the history of the world any country had ever inflicted on any part of itself. His difficulty had been to make a selection out of the mass of proofs which had accumulated on his table during the last few years on this point. He might begin by referring to the pamphlet of his noble Friend the Member for Lynn (Lord Stanley), to which the hon. Gentleman (Mr. Wilson) had paid a tribute that was justly due. What did his noble Friend say of the state of British Guiana?—

> "I was prepared for desolation, but not for what I saw. The whole land was strewn with ruins of houses and mills, and those not old, but new buildings."

That statement was not made at a distant period; and it was a statement made from the noble Lord's own personal observation in 1850. The noble Lord said, with reference to an important Report presented by certain Commissioners, that—

> "Out of a total of about 600 estates, now or formerly existing in British Guiana, the Commissioners report 26 as having been placed under sequestration between 1847 and 1849. I have it on private authority, that in the latter year 19 more have been added to this list, while 33 have been disposed of by execution sale. In the single month of May, 1850, seven estates were sold in the above manner. Their collective value was at one time upwards of 170,000*l*.; their price last year was 71,400 dollars, or between 14,000*l*. and 15,000*l*."

The hon. Gentleman (Mr. Wilson) had referred to increased imports of sugar into this country; but Lord Harris, the Governor of Trinidad, in a very important despatch, had warned the Government against trusting to the fact of increased imports. The hon. Gentleman had talked of increased imports, but he had said nothing of diminished price. Lord Harris, in alluding to the effect of diminished prices, stated that for many years not only had there been no profit from estates, but, on the contrary, a loss of British capital to the extent of at least 1,000,000*l*. sterling. He should not dwell on the frightful events that had occurred in the Mauritius in 1848, and which had brought the island almost to a state of ruin, but which, he was happy now to say, had in a great measure passed away. He wished to speak of the state of Jamaica, and with the permission of the House would refer to a private letter which he had received on the subject, the writer of which he would not at present name. He was perfectly willing, however, to communicate the name of the writer to the hon. Gentleman (Mr. Wilson). The writer was a most competent witness: his letter was dated in June, 1852:—

> "So utterly do I despair of this island rising readily from the load of distress under which she has suffered, and still suffers, that I am now offering, quite voluntarily on my part, to give up my estate—a good one—for a debt less than one-fifth of the sum it cost me since freedom, due to the same individual to whom I have paid for it nearly 25,000*l* sterling, while my paternal estate in this island, once worth as much more, is valueless and abandoned, though still in my own hands."

Turning to another letter he found that the writer, whose name also he should not mention, said—

> "In 1819 these estates netted the proprietor 22,000*l*. Both are now abandoned, and give no income whatever. This is the case of thousands."

That very morning he received a letter from a gentleman with whom he had no acquaintance, but who, he presumed, must be a very large proprietor. That gentleman said that he had thirty-two properties belonging to him in Jamaica, and that if a change did not speedily take place, it was his intention to send instructions for the abandonment of all those estates. Was the hon. Gentleman justified in taking such a view as he had of the effects of the legislation which had taken place? Whether that legislation was just or unjust, beneficial at home, or injurious, the hon. Gentleman was not justified in attempting to hold out that it had not produced most ruinous effects. In a letter dated September, received by a gentleman of great intelligence, who left Jamaica six months ago, the writer, the brother of that gentleman, said—

> "You can form no conception of the depression day by day going on here. You have not yet been away six months, and the change you would perceive would alarm you. Our lower orders are becoming daily more reckless, putting aside all decency, and vice and crime are now walking in daylight along our streets. The better class of men appear to have lost all hope, and the aspect of things is truly distressing."

That was an extract from the letter of a person of unquestionable authority, and of local knowledge, sent home from Jamaica only on the 27th of September last. The last document with which he should trouble the House was one to which the hon. Gentleman might have access. It was a return of the parochial taxation, rates, and dues for the year 1852, levied in Jamaica generally. The first column showed the value on which the property had been assessed; it gave a return for every county, every parish in the island, and the result was, that for 1851 the rateable value of property in Jamaica was 9,499,790*l*., while in the preceding year, 1850, it was 11,556,379*l*. Was it possible for him to adduce a more painful or a more pungent proof of the dreadful distress which our legislation had brought upon Jamaica than that which was afforded by this paper? It showed that in one year, from 1850 to 1851, property had fallen in value upwards of 2,000,000*l.* or two-elevenths of its amount one twelvemonths previous. The hon. Gentleman opposite had stated that he thought the effects of our legislation of 1846 should be seen in the five years that followed. He (Sir J. Pakington) thought he had shown what its effects had been in the course of the five years in one of our most important Colonies. The hon. Gentleman had talked of these five years as five years of unrestricted competition. He (Sir J. Pakington) was astonished at such a momentary forgetfulness of the fact. Instead of being five years of unrestricted competition, those five years had been years in which, though slave produce had been admitted to an injurious if not a fatal extent, the British grower had notwithstanding been protected by a high, though a gradually descending protective duty; and at this moment, when the hon. Gentleman spoke of unrestricted competition, there existed, in fact, a differential duty in favour of the Colonial grower, amounting to upwards of 30 per cent. During the present year British muscovado was admitted at an import duty of 10*s.* [Mr. WILSON made an observation across the table.] Whether the hon. Member spoke of five years or not, it did not affect the fact. He (Sir J. Pakington) was dealing with facts, and one which he meant to bring to bear on the aspect of the question was, that there was not unrestricted competition. British sugar was muscovado. Foreign sugar was not so, but brown clayed, and not equal to white clayed. The nominal difference must not be taken, but the difference between British sugar and foreign brown clayed. While British muscovado paid 10*s.* per cwt., foreign sugar paid previous to the 5th of July 15*s.* 6*d.*, and at this moment it paid 14*s.* 6*d.* The British producer was protected by a duty of more than 30 per cent. The hon. Gentleman had boasted of the Act of 1846, and had spoken of adopting the policy of that Act once and for ever. He must, however, say that if there was any one thing more than another which he had learned in that House it was to distrust—if not to treat with ridicule—any idea of final settlements by Parliament of great fiscal and commercial questions. Upon matters of immutable principle, and upon great questions of public law and public right, they might come to a final settlement; but when they were dealing with matters that concerned the comfort of the people, and with fiscal regulations and commercial arrangements, to talk of a final settlement was absurd; and Parliament, if it dealt with such questions on the principle of a final settlement, would be abandoning one of its foremost functions of legislation. It was at all times the paramount duty of Parliament to consider the demands of the people; and in their fiscal and commercal questions to consider what the interests of the country really required. He was not speaking with reference to any particular question, but was merely stating the rule upon which he conceived every statesman should act. Their duty was to shape their legislation from time to time, according to the necessities of the country, and to the comforts and rights of the people. There was enough in the proceedings of Parliament upon this very question to make them cautious of embarking in what were called final settlements. The noble Lord the Member for the City of London (Lord John Russell), when he introduced the measure of 1846, spoke of it as a final settlement. But this final settlement lasted only two years, for it was—if a new word might be coined for the occasion—unfinalised in 1848. In that year the legislation of 1846 was found to be no longer tenable, and the late Chancellor of the Exchequer was obliged to come down and propose a most important modification of the Act of that year. That alteration of the law had not been without its effect, though the previous distress did not wholly pass away. In 1848 the price of sugar had fallen so low as 23*s.* 8*d.* a cwt., and the quantity of foreign sugar entered for home consumption had risen under the new Act to the enormous amount of 1,120,783 cwt., while the consumption of home-grown sugar had fallen so low as 3,571,581 cwt. The result of the change of the law in 1848 was to check this great import of foreign sugar, and to encourage the consumption of home-grown sugar. In 1849 the figures were materially reversed, for the foreign sugar entered for consumption was only 496,475 cwt., while the Colonial sugar entered for home consumption had risen to 4,054,981 cwt. In 1850 this state of things was again changed. The foreign sugar entered for home consumption had risen to 890,967 cwt., while the colonial sugar had fallen to 3,786,002 cwt.; the result was, great distress in the Colonies. It was in that year that his noble Friend near him (Lord Stanley) had personally visited the Colonies, and had commenced that political career which was destined, he doubted not, to be one of no ordinary distinction. In that year he (Sir J. Pakington) had joined with another hon. Member (Sir E. Buxton) in pressing the matter on the consideration of the Government. They were defeated; but he saw no reason to regret the course which they took. The year 1851 passed without any Motion; but at the very close of the Session he has pressed on the House, in the strongest terms, the absolute necessity—if they wished to do justice to the Colonies—of adopting the plan which his right hon Friend the Chancellor of the Exchequer now proposed—that of allowing the British grower to refine colonial sugar in bond. That was the only move made on the subject in that Session. He hoped the House would give him its attention while he referred to that which had been pointedly commented upon in very unjust terms—he alluded to the notice which he himself had given at the close of the Session of 1851, that at the commencement of the Session of 1852 he should draw the attention of the House to this question, as there appeared to him to be a necessity for modifying the law of 1848. The hon. Gentleman had stated with perfect truth that at the commencement of last Session he had renewed that notice, and that at the time the present Government came into office the notice was standing in the Order-book in his name. After he came into office he gave an explanation—to which the hon. Gentleman had adverted—why it was not his intention to persevere with the notice of the previous Session; and he was now prepared to tell the House, without in the least shrinking from the avowal, why he had given that notice then, and why he had concurred in the announcement made by the Government now. He might be wrong in the conclusion which he had arrived at, but he felt confident he was right, and he hesitated not to avow the reasons. The state of things on which he had founded his notice of last Session was, that foreign sugar entered for home consumption, in 1851, had risen to the unprecedented amount of 1,227,041 cwt., while the consumption of British sugar had fallen to 3,593,858 cwt. He found, therefore, an immense increase in the consumption of slave-grown produce in this country, with a simultaneous fall in the amount of colonial sugar consumed in this country. But that was not all. Not only had foreign sugar increased and colonial sugar diminished; but the price of sugar, towards the end of 1851, had fallen unprecedentedly low, far lower than the prices which had excited such panic and caused such distress in 1848, at the time when the late Lord George Bentinck moved for a Committee of Inquiry. In November and December of last year the highest price during those two months, upon an average taken week by week, was 1*l.* 4*s.* 10*d.*, and the lowest price 19*s.* 7*d.*, at that time the lowest price that sugar in this country had ever reached. What took place at the commencement of 1852? Prices commenced falling. In January they were 1*l.* 2*s.*; in February, 1*l.* 1*s.*; in the first week of March, 1*l.* 1s. 7*d.*; in the second week of that month, 19*s.* 10½*d.*; and in the last week, 1*l.* 0*s.* 4*d.*; in the first week of April, 18*s.* 5*d.*, the lowest price which sugar had ever been known to reach in this country. The year 1851 had been distinguished by three circumstances—the greatest amount of sugar ever imported into this country—an immense increase in the consumption of foreign slave sugar, following a decrease in the consumption of colonial sugar—and a depreciation in price wholly unparalleled in the history of the sugar trade. It was in such a state of things that he was prepared to appeal to Parliament; and had it not been for the change of Government, which wholly deranged his proceedings on this subject, he should undoubtedly have applied to Parliament to afford redress for such a state of things. But what was now the state of things? He believed the hon. Gentleman himself had not, in 1850, anticipated the present state of things. Most cordially did he wish—as cordially as the hon. Gentleman himself could wish—that the present state of things might continue. But what were they? For the ten months ending October, 1852, he found that the British sugar entered for home consumption amounted to 3,088,252 cwt., while in 1851 it was only 2,250,168 cwt., showing an enormous increase in the amount of Colonial sugar imported in 1852 over the amount imported in 1851. Then, with regard to foreign sugar, how did the case stand? In 1851 the importation was 1,297,041 cwt., while for the ten months ending October, 1852, the amount had fallen to little more than half—namely, 580,540 cwt. Thus the figures were completely reversed. Foreign sugar had decreased, British sugar had increased; and, simultaneously with this reversal of the figures, there had also taken place a very considerable improvement in price. The price of sugar in the home-market, instead of 18*s.* 5*d.*, as it was in the beginning of April, had risen in the last week of November, to 1*l.* 5*s.* 1¼*d.* He had no hesitation in avowing, whatever his views of the policy of 1848 might be, that, looking to the solemn and repeated decision of Parliament upon this subject, looking to the extent to which the home consumer was undoubtedly concerned in this question, he certainly could not be a party to asking the House of Commons—and whether he was out of office or in office would not have made the slightest difference—looking at the great change in the aspect of the question, he repeated that he could be no party at this moment, and under these circumstances, to asking this House for a reimposition of the differential duty. But he would not conceal from the hon. Gentleman and from the House, that, much as he wished otherwise, he was not over-sanguine with regard to the continuation of this state of things. In his opinion there were three causes to which the present state of things might be attributed. One cause was, that in Cuba and Porto Rico the crops of sugar had, to a considerable extent, failed. Another cause was, that the ruinously low prices which had ruled in the home market had driven away the foreign sugar from our markets to the United States. Those causes would, in his opinion, account to a great degree for the decrease of foreign sugar imported this year. The hon. Gentleman might perhaps tell him that that would not account for the increase of British Colonial sugar. He believed that that was very much to be attributed to the fact that while the crops in Cuba and Porto Rico had been unfavourable, the crops in the West Indies had been rather good. On the other hand, he was willing to admit—and he was glad to hear the hon. Gentleman express a similar opinion—that part might be attributed to the energy and good spirit which under the most adverse circumstances had distinguished the British Colonist. They certainly had made very great efforts. He held in his hand returns of all the exports from our sugar-producing Colonies—returns which were very valuable, and for which he was indebted to the hon. Gentleman the Member for Ashburton (Mr. Moffatt). Those returns showed the extent of the exports from 1831 to 1851. The exports from Jamaica amounted in the former year to upwards of 1,429,093 cwt., while in the latter they had fallen to 627,768 cwt. But, on the other hand, Barbadoes and Trinidad were exporting more sugar in the present year than in the days of slavery. British Guiana, although still exporting much less of that article than she did during the existence of slavery, yet had made great efforts to overcome the difficulties of her position; and he (Sir J. Pakington) was inclined to take a most favourable view of the prospects of that colony. British Guiana, Trinidad, Barbadoes, and the Mauritius should be taken as four out of the five of our principal sugar colonies, and he thought that the state of things in those islands tended to show that this was very much a labour question. The abundant supply of labour in Barbadoes had very much contributed to the production of an increased amount of sugar; and he very much doubted whether that article was not produced there at nearly as cheap a rate as in any other country in the world. He was not disposed to dispute the correctness of the hon. Gentleman's figures with regard to the Mauritius, and he had no doubt that the production of sugar was very much on the increase in that island also. But he would venture to trouble the House with some remarks of the very able and excellent Governor of the Mauritius, showing the very doubtful prospects which still awaited that colony. Governor Higginson, writing from the Mauritius in the present year, said—

> "In this combination of fortuitous and favouring circumstances, it may be affirmed that Mauritius stands unsurpassed, if not unrivalled, among the sugar-producing possessions of the Crown; and, when added to these highly-valuable conditions, there is manifested a growing self-reliance and increasing confidence in local resources, united with the severe lessons of previous experience, so legible and distinct that 'those who run may read,' and, above all, a manly resolution to overcome the remaining obstacles opposed to the profitable cultivation of the soil, I do not believe that I am either deceiving myself or misleading Her Majesty's Government in expressing a conviction that our earnest hopes and aspirations for the restoration and enduring prosperity of this most important dependency of the Crown are in course of fulfilment, and will at no very distant day be realised."

And he goes on to add—

> "I do not venture to submit this opinion without hesitation and diffidence, seeing that a very different tone pervades the petitions for relief to the agricultural interest which have been put forth both here and in the mother country; nor

> do I for a moment doubt, that if compliance with their prayer can be accorded, it will be conferring a well-merited boon upon the colony. I do not overlook the severity of the competition to which our staple product is exposed, nor do I fail to recognise the obligation imposed upon the Government, both imperial and local, to support to the utmost of its ability at this crisis the struggling sugar grower, by having recourse to every legitimate means within its competency, to aid the efforts now making to diminish the cost of production; for in this, after all, lies the solution of the problem."

But it must be remembered that upon that all-important point of labour the inhabitants of the Mauritius enjoyed the greatest advantages from their proximity to the East Indies. They had imported large supplies of Coolies, and had manifested great energy in meeting their difficulties, and he was certainly not without hope that they would triumph over those difficulties. With regard to British Guiana, it was well known that British Guiana had taken up no less than 250,000*l.* of the loan of 500,000*l.* guaranteed by the late Government in 1848; and, aided by the increased labour which that loan had produced, British Guiana was struggling vigorously to surmount the obstacles to a return of her prosperity. Barbadoes, as he had stated before, was exporting far more than in the days of slavery; and with respect to Trinidad, the loan which had been advanced by the late Government, had, he must say, been a great boon to that colony. Lord Harris had written to him to the following effect:—

> "He had at one time doubted whether emigration would be of any use, but he at present saw the enormous advantage of it, and he believed that to emigration, under God, the safety of the colony which he governed must be owing."

He (Sir J. Pakington) believed, and he had the authority of Lord Harris for saying so, that in Trinidad they had lowered the cost of production fully one-third, and they had also lowered the rate of wages. He found that in Jamaica the average rate of wages—he gave the figures with some caution and with some doubt, and those who were conversant with West India affairs were well aware how very difficult it was to procure correct statements. He found, from the returns of stipendiary magistrates quartered in Jamaica, that the rate of wages in that island had fallen from 1*s.* 6*d.* a day to 1*s.*; in British Guiana, from 2*s.* 5*d.* to 1*s.* 4*d.*; in Barbadoes, from 1*s.* 1½*d.* down to 10*d.*; and in Trinidad, from 2*s.* 1*d.* to 1*s.* 5*d.* These of course were very important facts. The spirited manner in which many of the planters had constructed tram-roads and introduced machinery, and carried into effect other laudable improvements, had, no doubt, to a very large extent reduced the cost of production, and had contributed very considerably to enable them to compete with the difficulties under which they laboured. He had not shrunk from the mention of those favourable circumstances, and combining those circumstances with the facts to which he had adverted, connected with the extraordinary improvement in the Returns of the present year as compared with the last, he did not think that that was a moment in which any Government could advocate a return to differential duties. He was convinced, however, that those colonies still required all the care and assistance which the Government could give, and it was quite clear that one of the first requisites for ensuring their prosperity was an abundant supply of labour. The first duty, then, of the Imperial Government was to aid them in obtaining that labour. He had said before, that he gave all honour to the late Government for the loan which had been granted in 1848—a loan which had at first been undervalued by the colonies, but of which they now fully appreciated the advantages. His right hon. Friend the Chancellor of the Exchequer had explained a few nights before, that there still remained on hand a considerable portion of that fund. But the important colonies of Trinidad and British Guiana, and at present Jamaica also, were using their best exertions to obtain the indispensable requisite of labour by means of that loan; and he (Sir J. Pakington) believed that they were entitled to every assistance that the Government could give them. He felt also that they were bound to do them an act of justice, and it was but an act of mere justice to enable them to refine their produce in bond in this country. With regard to the mode of carrying out that relief, he should observe that that was a question for his right hon. Friend the Chancellor of the Exchequer to consider, as a point of detail, when the proper time should come. His right hon. Friend would then lay before the House the course which he intended to pursue. But the principle was a principle of justice. It was well known that between the several varieties of sugar there existed a very considerable difference in quality, and if an equal duty of 10*s.* per cwt. were to be levied upon them all, that would be, as his right hon. Friend had stated the other night, in effect to give a differential duty to the foreigner. That would manifestly be unjust; but he should add, that in extending to our own sugar-producing colonies that boon, he thought they were doing as much for them as they were at liberty to do in the present state of the sugar market. He had spoken with much frankness with respect to the position of those important colonies, and he was sorry to be obliged to add that he could not quit that important subject without adverting to the depressed and almost ruined state of Jamaica. Nothing could be more deplorable than the condition of that colony. He held in his hand a despatch which the Governor, Sir Charles Grey, had forwarded during the present year. Alluding to the proceedings of the Legislature of that colony during the last few years, of which he could not approve, Sir Charles Grey spoke of the planters as being half maddened by the losses they were sustaining, and by the sense of approaching ruin which they entertained. When the hon. Gentleman the Member for Westbury (Mr. Wilson) spoke of the British Colonists not having suffered, he (Sir J. Pakington) would ask him to what he attributed the statements made by the Governor of the island of Jamaica—a Governor not lately gone out there, but one of long experience. Sir Charles Grey said—

> "But the depression also of the planting interest from the altered policy of the Parent State in its colonial relations has continued; and it seems now to be assuming a steadier and more pregnant form, and the finances of the colony have gone on, and are still going on, from bad to worse. The supplies granted for the year have in no instance been equal to the authorised expenditure, although that expenditure has been materially and largely curtailed; and the public debt and liabilities, which, in official returns, are stated to have not exceeded 580,000*l.* in October, 1847, are now not much less than 750,000*l.*"

Jamaica had of late years been visited to a most serious extent by one of the most dreadful visitations of Providence from which any country had ever suffered. The cholera had attacked that island with a severity almost without precedent. The hon. Gentleman the Member for Westbury had estimated the loss of life occasioned by cholera in that island at 40,000 persons. He (Sir J. Pakington) believed it was extremely difficult to ascertain what the actual loss of life had been; but from the accounts which he had been able to obtain, he was inclined to estimate the loss at a number ranging from 30,000 to 50,000 persons. That number, of course, included men, women, and children. The actual loss of labourers had been, he believed, from about 15,000 to 20,000 persons. The depression and alarm in the colony at that serious loss of labour had been most severely felt. But there were other questions connected with that island which made its case a most peculiar one, and entitled it to the most serious consideration. The financial position of Jamaica was one of a most deplorable character; it was as bad as it possibly could be. He would not then trouble the House with details upon that point. He would not go into the financial condition of Jamaica, but would merely state a few general facts. The debts of Jamaica had increased from 580,000*l.* in 1847, to 750,000*l.* in the present year. For several years its revenue had been less than its expenditure, and for several years the interest of the loan which had been given by this country had not been paid. That island was, he feared, financially in a state of national insolvency. That state of things was so seriously connected with the dreadful depression of the planting interest, that it was the intention of Her Majesty's Government to send a Commissioner to that Colony to take into consideration and to report upon the whole state of its affairs. He did not know whether the House was aware of one serious defect in its political institutions—he meant the mode in which money grants were brought forward in the Legislature. In last August Sir Charles Grey wrote—

> "That the Session of the local Legislature brought to a close on the 26th of February had been chiefly remarkable, first, for the renewed pertinacity with which the Government here is entirely excluded, not only from those functions in the body of the Legislature which the Crown exercises through its Ministers in both Houses of the English Parliament, but from all guidance, even by advice, of the proceedings of the Assembly."

He did not read that with any intention of censure on men "who were half maddened by the losses they were sustaining and by the apprehension of ruin;" but to show what really was the condition of things in the colony. It was well known to hon. Gentlemen, and all who had studied the question, that money grants were moved by any Member who chose to bring them forward, and it was manifest that each Member who had a grant to support would endeavour to gain the other Members to aid him by promising to support any grants they might demand, and that without any reference to the Estimates or to the ability of the revenue to bear them. Hence also had arisen that most alarming state of things which they beheld. He could not conceive, indeed, any country in a condition more seriously depressed, socially and financially, than Jamaica; and he had to repeat that Her Majesty's Government felt, whatever course might be pursued with respect to differential duties, that the state of Jamaica was different from that of any other colony, though they could not enact any duty which would not fall on all other Colonies alike. Therefore Her Majesty's Government, as the government of Sir Charles Grey, was nearly approaching its conclusion, proposed to send out a Commissioner without any power of government, but who should inquire and report on what reforms and changes could be effected in the financial and social condition of the island, in the hope of restoring prosperity there. He could not conclude what he had to say with respect to Jamaica, without adding, that after having taken considerable pains with reference to the unfortunate position of that colony, and looking upon its present state as one the most calamitous, he still could not regard it with despair. He believed, on the contrary, that by judicious alterations, and by judicious arrangements in its finances, and by other reforms which were so evidently and so imperatively necessary, there was every reason to hope that Jamaica might yet be saved from the calamities which nearly overwhelmed her; and he could most sincerely say that he felt the deepest sympathy for the colonies. He deemed it to be the duty of the Government to afford them every possible assistance. If that assistance were freely and fairly extended to them, he had little doubt but that the difficulties by which they were at present overshadowed would be removed. He should, however, state, in answer to the hon. Member for Westbury, that he could not retract the censure he had so often expressed with regard to the legislation of 1846. He still was of opinion that that legislation had been adopted too precipitately. He had said, on a recent occasion, that he could not justify an attempt to benefit one class of the community at the expense of every other. He had said that in reference to the landed interest of this country; and he felt the truth of that doctrine with tenfold force as applied to those distant colonies. They had legislated for the men around them—for the men who gave them their political power. They had legislated for their prosperity and their welfare at the expense of those remote and defenceless communities. The colonies had not been, it was true, altogether without champions in that House to urge their claims; but they unfortunately had not that power of asserting their rights which other interests possessed. They had no doubt benefited the consumer at home, but they had done it by inflicting an amount of suffering upon those colonies which no country could be justified in inflicting upon any class of its fellow subjects. He had to thank the House for the great patience with which they had listened to him at such an unexpected length, and he could only say, in conclusion, as he said when he began, that he had no connexion with the West Indies—that he had no interest in them—but that he had been solely influenced from a feeling of his duty as a public man to advocate their cause. He was not disposed to deviate from anything ho had ever said with respect to giving full justice to the West India colonies. He hoped that the prosperous state of affairs which marked the colonies in the present year would be prolonged and permanent, and that their vigorous efforts to save themselves would be crowned with success. He would say in conclusion, that no man could derive more pleasure from their prosperity than himself. He had not the least objection to give the hon. Gentleman the Member for Westbury the papers for which he moved.

Mr. EWART said, these colonies were suffering on account of the false position which they occupied. They were no doubt suffering from the recent sugar laws, but whilst these laws had occasioned cases of individual suffering, they had contributed to the comfort of the great body of the Empire. He rejoiced to hear that it was the intention of the Government to send out a Commissioner to Jamaica, to inquire into her financial condition. He remembered that when Malta had been long suffering from financial embarrassment, a Commissioner was sent out to that Island, and from the time that the reforms he suggested were carried into effect, Malta became prosperous, and had so continued to be. He (Mr. Ewart) thought he had a right to complain that the right hon. Baronet (Sir J. Pakington) did not during his address quote as much as he could have done from the despatches of colonial governors as to the state of our colonies. The right hon. Baronet did not refer to the favourable view which Governor Barkly took of the future state of British Guiana, nor had he alluded to the hopes held out by the Governor of St. Vincent. He cordially approved of the conduct of the Government in dislaiming all intention either to prolong the differential duties now about to expire, or to revert in any respect to the exploded protective system; and as for the West Indian colonies, however distressing their condition might be just at the present moment, he was not without hope that in the lapse of time they would be restored to prosperity by the introduction of British capital, the application of machinery, and the increased energy of the planters themselves, who would yet acknowledge that they had been benefited, rather than injured, by the principle of unrestricted competition.

Mr. HUME said, he also participated in the gratification which the renunciation, on the part of the Government, to revert to the protective system, had manifestly created in the House. The Colonies had suffered from nothing so grievously as from the continual upsetting of their affairs; and he, for one, would never give his assent to any further tampering with a settlement which was offered and accepted as final. He hoped that the differential duties would be allowed to wear out tranquilly, and that the colonies would be taught to depend as much as possible upon their own resources. He would not give to the planters one shilling from the public purse, but he would legislate for them in a fair and impartial spirit, and there was no assistance which could be given to them without injury to other interests which he would not be most happy to offer. He would reduce as much as possible the expense of cultivation, and would afford them increased facilities for procuring labour, confident that by this means he would promote their welfare more effectively a thousand times than if he were to perpetuate the differential duties. He approved of the Government's intention to send a Commissioner to Jamaica, and strongly urged the propriety of directing that official to visit British Guiana as well. He was also disposed to think that some good would result from the permission to refine sugar in bond.

Sir JOHN PAKINGTON begged in explanation to give his assurance that there was no intention on the part of the Government to propose the prolongation of the differential duties.

Mr. MOFFATT said, that it was very desirable that the Government should state whether the right to refine in bond was to be considered as compulsory or optional. Was the exercise of the right to be optional, or was the system to be uniform?

Lord STANLEY said, that the hon. Member for Ashburton (Mr. Moffatt) was quite right in calling their attention to the points to which he had just alluded. They were very important, and it was desirable that the House and the country should receive information with respect to them at the earliest possible moment. But at the same time they belonged rather to the department of his right hon. Friend the Chancellor of the Exchequer, than to any other; and he believed he might say, on behalf of his right hon. Friend, who was not now present,that he would be prepared to answer those inquiries whenever they should come directly before the House. As regarded the general question at issue, he (Lord Stanley) had no desire to prolong the debate, which appeared to him to be rapidly verging towards a natural death; but he must say that, in his opinion, there was some little discrepancy in the language of hon. Gentlemen opposite. The hon. Member for Westbury (Mr. Wilson), addressing them in a very long and a very eloquent and instructive speech, had professed his object to be to prove that the West India colonies had not suffered in reality by the passing of the Act of 1846. His object seemed to be to comfort those colonies by showing them that they had not suffered from the legislation of recent years. But immediately after that hon. Gentleman the hon. Member for Dumfries (Mr. Ewart) rose on the same side of the House, and told them it was quite true that the great financial and commercial changes which had taken place must have inflicted severe injury on individuals, however they might have benefited the British community at large. The hon. Member for Dumfries admitted the suffering, which the hon. Member for Westbury denied, but said it was owing to an inevitable necessity;

and to crown the whole of these discrepancies, the hon. Member for Montrose (Mr. Hume) attempted to administer consolation to the West India colonies by predicting, as he (Lord Stanley) understood him, that the existing planters must all be swept away, and be replaced by a new race of planters. That might or might not be so; but coming, as the statement did, from an hon. Member well versed in these matters, it was entitled to some consideration, while it was in entire contradiction of the views of the hon. Member for Westbury. There was one other remark which he should make upon that occasion. It seemed to him that as far as any real and practical point was concerned—as far as anything was actually to be done—there was at present nothing for them to discuss, and they were all pretty much of one mind; because his right hon. Friend the Chancellor of the Exchequer had asserted very distinctly—although he (Lord Stanley) doubted whether such an assertion were necessary after the measures submitted to the House the other evening by his right hon. Friend—his right hon. Friend distinctly and positively asserted that which might be very well inferred from the general policy of the Government, that they looked on the settlement—not indeed of the year 1846—but the settlement of the year 1846 as modified in the year 1848, as a final settlement; and that they had no intention whatever at present or hereafter of renewing that differential duty which was shortly about to expire. With respect to the language of his right hon. Friend the Secretary for the Colonies on the point of finality, he should say that he clearly understood the meaning of his right hon. Friend to be, that no human power ever had bound, or ever could bind, the Legislature of a free country to a particular system of commercial policy for all times and under all circumstances. That was a perfectly just and intelligible theory. But, at the same time, his right hon. Friend had repeated, in terms which it was impossible to misconstrue, the declaration made by the Chancellor of the Exchequer, that no new scale of duties on sugar was about to be proposed. He could not, therefore, look on the Motion of the hon. Member for Westbury—although that Motion had been the means of procuring from him a very able and clear exposition of his views of the state of our West India colonies—he could not look upon that Motion, or on the discussion to which it had given rise, as having a practical bearing on any system of policy which was at present to be adopted. That Motion, he believed, was neither more nor less than a challenge thrown out—a fair challenge he (Lord Stanley) admitted—to hon. Members on his side of the House, for the purpose of showing that they had been wrong in the view they had taken of the Act of 1846, and of the effects of that Act. The hon. Gentleman seemed to call upon them to admit that they had formerly been in error; and further, the hon. Gentleman accused them of having materially contributed to aggravate rather than remedy the distress existing in the colonies, by holding out false hopes to the colonial planters, and leading them to believe that the Acts of 1846 and 1848 were likely to undergo fresh and more extensive modification. Now, if it were made a charge against him (Lord Stanley) and his hon. Friends, that they had not from the first moment of the passing of the Act of 1846 treated that Act as a final settlement, or even treated it as an Act conducive to the prosperity of the colonists, he thought that was an imputation under which they might very well afford to lie; because, whatever degree of censure attached to the holders of such opinions, attached not only to them—not only to his right hon. Friend the Secretary for the Colonies—not only to himself (Lord Stanley)—not only to those with whom he had habitually voted on that question upon former occasions, but attached equally to that great statesman — for so he should call him—whom it was impossible not to recognise as the real, although not the ostensible, author of the Act of 1846. He did not suppose it would be disputed that the late Sir Robert Peel had practically carried that Act through the House. It was pretty well understood that if that right hon. Baronet, and those who usually voted with him, had not come forward and supported upon that occasion the Government of the noble Lord the Member for London (Lord John Russell), that Government would not have been able to have carried that measure. He would not trouble the House by reading the passage from *Hansard* which bore out the truth of what he was now stating; he would merely say that he was referring to the remarkable speech made by the late Sir Robert Peel on the 27th of July, 1846, at the time when the Sugar Duties were under discussion, and when it was believed that the fate of the Ministry was dependent on the result of that debate. It would be in the recollection of the House that Sir Robert Peel, in supporting that measure, distinctly declared that he entertained serious apprehensions as to what the consequence might be with regard to the slave trade, and with regard to the West Indian colonies; and that the only reason why he gave his assent to its passing was a political consideration wholly independent of the merits of the Bill—the consideration how its passing or its rejection would affect the state of parties in that House. Now, he should not venture to say one word for the purpose of questioning the wisdom or the justice of the course which had been pursued on that occasion by the late Sir Robert Peel, who felt, as he had stated, that he had at the time only to adopt what he believed to be the less prejudicial of two courses. But this he (Lord Stanley) might say—that if he or any of his hon. Friends had expressed doubts as to the working of the Act—if they had expressed doubts whether it would not have been productive of injury both as regarded the condition of our sugar-producing colonies, and also as regarded its influence on the slave trade, they had expressed no doubts and put forward no opinons for which they had not had the sanction of the high name and authority of the late Sir Robert Peel. He would not travel over those arguments upon that question which years of discussion had already made familiar to every Member of the House. He certainly had not met with any Gentleman—and he did not think the hon. Member for Westbury himself would be an exception to the rule—he had not met with any Gentleman who looked to their legislation as regarded our sugar-producing Colonies, as a whole, that would be ready to contend that that legislation had been other than what he (Lord Stanley) and his Friends had characterised it—that was to say, harsh and unjust. He did not consider the Act of 1846 separately. He took it as part of a great whole. He looked at the Act of 1834, at the Act of 1838, and at the Act of 1846. He took those measures collectively—he took the general policy of the mother country towards her sugar-producing colonies; and he said that he must be a bold man who should rise in that House and assert that that policy had been other than unjust. But then the hon. Member for Westbury raised another controversy as to what had been the result of the Act of 1846. Now it seemed to him (Lord Stanley) that his right hon. Friend the Secretary for the Colonies had said with perfect justice, that if any public man had formed an erroneous opinion as to what would be the result of any particular measure, it was his duty not to conceal his change of opinion, but to state it openly. He (Lord Stanley) was not one to deny that he—and he dared say many of those who coincided with him in his general political views—had entertained apprehensions regarding the amount of injury which the Act of 1846 would inflict on our sugar-growing colonies that had not been realised to their full extent. His right hon. Friend had entered so fully into that subject that he (Lord Stanley) did not think he need trouble the House with any details respecting it. But he said that, looking at the measure, not as they saw it at present, by the light of subsequent experience, but looking at it as it was seen in the year 1846, he did think it was a harsh and a hazardous measure. He also thought that it had been productive of, or, at least, that it had been accompanied by, much greater and more general distress in the West India colonies than had at any previous period prevailed for any length of time together in those colonies. That was a fact on which he thought evidence could hardly be required. The hon. Member for Westbury had made rather light of the alleged distress of some of the West India colonies. Now he (Lord Stanley) was not going to quote the evidence of planters or of any interested parties upon that subject; but he would quote from official documents evidence which would prove the existence of severe distress in many of those colonies since the passing of the Act of 1846. He supposed that the hon. Member for Westbury would admit that the Report of local colonial Commissioners appointed by the Governor of a colony was an official document, and as such was worthy of credence. Now he held in his hand a statement from the Report of the Commissioners appointed to inquire into the state of British Guiana, and in that Report he found it stated that—

> "It would be a melancholy task to dwell on the misery and ruin which so alarming a change as the Act of 1846 had occasioned."

And the Commissioners went on to say, that—

> "They felt themselves called upon to notice the effect which the wholesale abandonment of property had produced in the Colony—an abandonment under which it was not to be wondered at that the most ordinary marks of civilisation were rapidly disappearing, while in many districts all travelling communication by land would soon be utterly impracticable."

He called that a state of distress, and that state had existed no longer ago than 1850. There was another test of distress furnished by the Commissioners, which was perhaps even of a still more conclusive character. It appeared from the same Report that the whole population of British Guiana consisted of about 82,000 persons, and of these 42,000, or more than one-half, were supposed to be utterly unproductive as regarded the only staple article of export from the colony, namely, sugar, while of the remaining 40,000 not less than 20,000 were immigrants mostly from the East Indies. It appeared, therefore, that out of the whole native population there were only 20,000 productively employed. He would not, however, weary the House with any further proofs of distress, of which he hoped and believed that the worst was now passed. He readily admitted that during the last twelve or fourteen months there had been a considerable improvement in the condition of the West India colonies generally. But he should deny even at the present moment the accuracy of the proposition which the hon. Member for Westbury had broadly laid down—that there was no such thing as general distress still existing in any of these colonies. When he found a statement like that which his right hon. Friend (Sir J. Pakington) had read from a despatch of the Governor of Jamaica no longer ago than at the beginning of the present year, he thought it was impossible not to see that that statement proved conclusively the existence of considerable distress in the island of Jamaica. But that despatch did not stand alone, because in a despatch, dated the 23rd August in the present year, Sir Charles Grey stated, that

> "he proceeded to review the state of the Colony with a feeling of great regret—that the Colony still remained in a very struggling condition;"

and he added that

> "the revenue of the Colony did not fully meet the authorised public expenditure, although that expenditure had been already reduced fully one-third."

Now he (Lord Stanley) said, that with such statements before them, and similar statements would apply in a diminished degree to British Guiana also—he thought it was too much to ask them to admit that no general distress had existed in those colonies since 1846. He did not, however, deny that in the smaller colonies, especially in Barbadoes and Antigua—wherever the land was limited in extent—so that squatting became impossible, and wages were not exorbitant, so that labour could be obtained — the present condition of such colonies was not only prosperous, but was more so than it had been for many years past. He, therefore, frankly admitted that even if there were no other difficulty in the way of imposing a differential duty between foreign and colonial sugar, arising out of the state of parties in Parliament, and out of the general feeling of the country, an obstacle would exist in the impossibility of making any distinction between one colony and another; while if a general differential duty were levied in favour of all the colonies, the advantage accruing therefrom would be derived, mainly, if not exclusively, by those colonies which were already in a flourishing condition. He thought that was an objection which could hardly be surmounted, and that it was conclusive against any further attempt to modify the Acts of 1846 and 1848, with a view of affording relief to the West Indies. With regard to the bearing of the Act of 1846, on the slave trade, he thought they would admit that within the last few days there had been laid before the House most satisfactory evidence of the decrease of that trade. But they should not be led away by a consideration of the present state of that question to forget that only two years ago that House and the country had been so far from anticipating the suppression of the Brazilian slave trade, that a discussion had been raised among them as to the expediency of discontinuing their efforts to obtain that object, and of withdrawing their African squadron. And not only had that point been discussed in that House, but it had been referred to a Select Committee. Now, he admitted, that in that respect a most gratifying change had since taken place, and he believed they might consider that the Brazilian slave trade was at the present moment utterly extinguished. The same thing, however, could not be said of the Cuban slave trade. But, although there was no improvement at present in Cuba in that respect, yet he thought that there was a prospect of improvement, because they knew that arrangements were being made for a very extensive Chinese immigration to Cuba; and therefore there was reason to hope that free labour might soon be employed to compete, and to compete successfully, with slave labour in that island. If that hope should be realised, and if the Cuban slave trade should cease, the West India colonies would then be no longer exposed to what he could not but look upon as an unfair competition. As he had said before, he did not think that there was now any practical difference of opinion on either side of the House as to anything they had to do. He believed that the question which the hon. Gentleman (Mr. Wilson) had raised was one purely critical and retrospective, and he was glad to think that that was the last time they should ever have to discuss in that House the question of the sugar duties.

Motion *agreed to.*

THE YARMOUTH PETITION—ELECTION PETITION RECOGNISANCES.

Mr. MILNER GIBSON, on presenting a petition from the gentlemen who had signed the recognisances in the petition of Mr. Torrens M'Cullagh against the sitting Members for Great Yarmouth, said that they believed they had bound themselves by the recognisances they had signed, regretting that the sureties had been declared insufficient, and praying the House to redress the grievance under which they laboured, and to take means for preventing that recurrence in future. He wished to call the attention of the House to the petition presented by Mr. M'Cullagh, who claimed to have been elected for Great Yarmouth, and who disputed the return. He did not ask the House to review the decision of the examiner of recognisances, or to pass any opinion of its validity, or in any way to sit as a court of appeal. He was well aware that the decision of the examiner in these matters was final and conclusive. His object was to show that, on the face of these proceedings, circumstances had arisen which rendered it necessary for Parliament to consider whether it might not be necessary to amend the Act itself under which proceedings were taken in reference to the trial of election petitions. The reason of the decision was, that the words "sitting Members" were used instead of "sitting Member." On the same day the examiner had reported that a similar recognisance in the case of the Bridgenorth election petition, in which the words "sitting Members" were also used, was unobjectionable. But, the objection being taken in the case of Great Yarmouth, he decided that that objection was valid, and therefore fatal to any further proceedings with the petition. He did not mean to reflect, in the sightest degree, upon the examiner of recognisances; no doubt he had endeavoured to discharge his duty conscientiously, in reference to what he believed to be the requirements of the Act of Parliament. But he (Mr. Gibson) found fault with the Act itself, and asked that it should be amended. Petitioners would be placed in a great difficulty if there was no power of amending technical objections to recognisances. In this case the petitioner had found his sureties; nobody contended for a moment that they were not good and substantial sureties, and capable of undertaking all the liabilities required by the Act. The fifth clause of the Act gave the form of the recognisance, and added, "With such alterations as may be necessary to adapt such form to the circumstances of each case," clearly showing that the Act contemplated necessary alterations. There ought to have been a power in the Act to enable the examiner to amend, and to call on the sureties to sign the amended form, so that they might still be liable for costs, if the decision were against them. The Motion he had to submit was in the following terms:—

> "That a Select Committee be appointed to inquire into the operation of the Act 11 & 12 *Vic.*, cap. 98, as regards Recognisances, and to report their opinion whether it is expedient to amend that Act."

The fourteen days having expired, it was out of Mr. M'Cullagh's power to present a new petition. Another circumstance in this case was, that the hearing of the objection was taken at an earlier period than the stipulated three days after notice of the objection. He (Mr. Gibson) brought forward this matter solely on public grounds, in order that technicalities might not be allowed to stand in the way of justice.

Mr. HUME seconded the Motion.

Mr. WALPOLE said, that if the right hon. Gentleman had made a Motion in conformity with the prayer of the petition, it would have had the effect of doing away with a rule that the House had expressly established, with regard to election recognisances. But that question had not been raised. Four years ago a question arising out of election recognisances had come before that House. A discussion then took place respecting the propriety of considering whether those recognisances should be amended. and the petition allowed to go on or not. It was contended, on the one hand, that the petitioner ought not to be deprived of his right to petition against the sitting Member, and, on the other hand, that the sitting Member had a right to take advantage of every legal objection. A Committee was appointed, and soon after an Act was passed consolidating and amending the laws relating to election petitions and recognisances, which provided that the decision of the examiner with reference to recognisances should be final and conclusive. Such being the law, it seemed clear that the last thing the House ought to do would be to repeal what it had taken such pains to establish, that these matters should be settled out of the House, and not give rise to party discussions in the House. The right hon. Gentleman had alluded to the cases of the Bridgenorth election petition, but there was a distinction between those two cases. In the Bridgenorth case, the question which was raised was not brought before the examiner, and he had not an opportunity of giving an opinion one way or the other with regard to the recognisances. But when the Great Yarmouth case was brought before the examiner, the agents of the sitting Member specifically brought this objection to his notice; it was his duty to decide upon it, and he held that it was fatal. With regard to the point of the three days, the right hon. Gentleman would find that the Act did not give three clear days; and as the notice was given on the 23rd, and the objection entertained on the 26th, it could not be said that the examiner had exceeded his duty. The proposition the right hon. Gentleman now made was, that a Committee should be appointed to see whether any amendments could be introduced into the Act, giving the examiner power to amend recognisances by correcting technical and clerical errors. He (Mr. Walpole) had no objection to such a Committee being appointed, but he wished to make two observations upon it. The first was, that as there were several election petitions then depending, he thought it would be undesirable that a Committee should be appointed on this subject, till all those petitions had been reported upon to the House. The second observation he wished to make, was to guard himself against the infringement of an important rule. The great object of throwing upon the sitting Member the duty of entering into recognisances, was, that he should not take advantage of any default or neglect of his own, in having imperfect recognisances, and to ensure the payment of costs which could not be recovered, unless the recognisances were valid in form and law. There was another object: not only to provide against the default or neglect of the petitioner in not making his recognisances perfect, but also to prevent frauds which might otherwise be practised in putting the recognisance in a defective form, so that the sitting Member, in consequence of such defects, would not be entitled to recover the costs to which he was entitled. The right hon. Gentleman would have to consider these points, and also whether he ought not to draw a line between technical and substantial errors. He (Mr. Walpole) should not object to the appointment of a Committee; but he ought to add, that the appointment of the Committee must not be considered as having any effect on existing petitions.

SIR HENRY WILLOUGHBY begged to ask if the right hon. Gentleman (Mr. M. Gibson) intended his Committee to have a retrospective operation?

MR. MILNER GIBSON did not contemplate anything more than was contained in the order of reference. It might be necessary to inquire into particular cases to discover the abuses that existed, and their remedy; but he could not foresee what course the Committee would decide upon.

Motion *agreed to.*

RAILWAY AMALGAMATION.

MR. HENLEY moved the appointment of the Members of the Select Committee on Railway and Canal Bills.

MR. JAMES MACGREGOR said, he had no objection to any Gentleman nominated upon the Committee, but he thought that, in addition to those already named, there should be some Members specially identified with the railway interest. If the right hon. Gentleman the President of the Board of Trade had no objection to this, he would move that certain Gentlemen connected with that interest should be added.

Mr. SPEAKER said, that the hon. Gentleman could not then make such a Motion; he must give notice of it.

Mr. JAMES MACGREGOR said, he should be sorry to have to give such a notice without the assent of the right hon. Gentleman the President of the Board of Trade. If, however, he could obtain that assent, he would on Monday next move that the names of Mr. Robert Stephenson, Lord Barrington, and General Anson should be added to the Committee.

Mr. FREWEN said, that the Committee, as nominated by the right hon. President of the Board of Trade, only consisted of twelve Members; and if the three names suggested by the hon. Member for Sandwich (Mr. M'Gregor) were added, there would not be more than fifteen Members; the number which the House had fixed as the limit for a Select Committee.

Mr. HENLEY said, that if the House and the railway interest wished that the additional names proposed should be placed upon the Committee, he should offer no objection to it. The only reason he did not place on the Committee some Gentlemen connected with the railway interest was, because there were so many directors in that House, that he was afraid to offend by making a selection.

Mr. HINDLEY said, he did not at all agree with the hon. Member for Sandwich. He thought that the Committee should be wholly independent of the railway interest. He was quite sure that the Gentlemen named for the Committee would do perfect justice to it; and, if they did not, the railway companies had sufficient influence in that House to protect themselves. If they placed on the Committee General Anson, the chairman of the London and North-Western Company, they would have a demand that the Chairman of the Great Northern should also be on the Committee, and in like manner the chairmen of other railways.

Mr. GEACH said, he thought it desirable that when questions connected with a particular interest were to be investigated, that interest should be represented on the Committee, whose deliberations would, he believed, be materially assisted by the presence of Gentlemen more particularly acquainted with railway matters.

Mr. MUNTZ begged to remark that if the Committee desired any information from the chairmen of railways, they could be examined as witnesses. If the Members of the House generally did not themselves understand railway matters, they mu stbe wanting in common sense.

Sir HENRY WILLOUGHBY said, he quite agreed with the hon. Member for Birmingham (Mr. Muntz). He thought that none of these railway magnates should be admitted upon the Committee; they would be more useful in the character of witnesses than of members.

The Committee, as nominated, *agreed to*.

The House adjourned at Nine o' clock.

HOUSE OF LORDS,

Friday, December 10, 1852.

Minutes.] Public Bills. — 2ª West India Colonies, &c.; Loans Act Amendment; Commons Inclosure.

MILITARY EMIGRATION TO THE CAPE.

The Duke of RICHMOND rose to present a Petition from Anthony Alexander O'Reilly, late a Colonel in Her Majesty's Service, and since a settler in the colony of the Cape of Good Hope, complaining of having suffered severe loss at the hands of the Kafirs, and praying for relief. The noble Duke knew nothing at all personally of the individual whose name was attached to it; but that gentleman had sent him a certificate of his having served as an officer in the British Army for fifty-two years, during which time it would appear, from general and private orders, that he had merited and gained the esteem of his commanding officers and fellow soldiers. This gentleman was, a few years ago, prevailed upon by the inducements which were held out by the late Government, and after fifty-two years' service in the Army, to dispose of his commission for the purpose of settling at the Cape of Good Hope. He accordingly took a farm there, and was going on remarkably well. He had a great quantity of stock, was possessed of the best implements of husbandry, and was in all respects a thriving farmer, when the Kafir war broke out—one of those "little wars" which had always proved so detrimental to this country, and which would have been settled immediately had they sent out 7,000, or 8,000 British Infantry at the beginning. The consequence was that the Kafirs made an inroad upon this gentleman's farm, seized his cattle and horses, the Hottentot levies deserted him, and it was with the utmost difficulty that he and his son escaped with their lives. By that inroad of the savages he was totally and entirely ruined; and now, after fifty-two years spent in the service of his country, the only way in which this gentleman was at present enabled to get a bit of bread to put in his mouth was by going to labour in the fields. Now, he (the Duke of Richmond) contended that this was a case of very great hardship. He contended also, that the Government ought not to recommend officers in the Army, or any other persons, to go out as settlers to the Colonies, unless they intended to protect them there against the inroads of savage tribes. And, moreover, he would say to old officers, if they would take his advice, "Stick to the Army, and don't go out as settlers," for nineteen out of twenty, after they became settlers, deeply regretted having left a service in which, at least, they had enjoyed a well-merited reputation. The case he had mentioned was, he repeated, one of very great hardship, and left a considerable amount of responsibility on the Government which encouraged such settlements. He did not know whether the Government at home could be of any service to the petitioner; still he did think that it was a case of very crying hardship, and one that, at all events, justified him in having occupied their Lordships' time and attention for a few moments.

The EARL of DESART thanked the noble Duke for the notice he had given of his intention to present the petition, and assured him, that neither Her Majesty's Government nor he (the Earl of Desart) felt less commiseration than did his noble Friend himself for this gentleman's case. The facts of the case were these. This gentleman had served fifty-two years in the Army, but in 1848 he sold out, and availing himself of certain indulgences which were given by the Government, invested the proceeds of the sale of his commission, 4,000*l.*, in the purchase of land at the Cape of Good Hope; but at the end of the year 1851 an inroad of Kafirs took place upon his farm, and owing to the treachery of his servants he had difficulty in escaping with his life, his premises were destroyed, as the noble Duke had stated, and he had since been compelled to work in the fields. He granted that it was a case which demanded the warmest commiseration; at the same time, however, it must be remembered that when this gentleman sold his commission, he assumed the character and placed himself exactly in the position of any other colonist at the Cape. Under these circumstances it was impossible that the Government could give compensation for losses so sustained. Their doing so now would involve the necessity of making compensation in every similar case which might arise.

Petition read and ordered to lie on the table.

RELATIONS OF LANDLORD AND TENANT IN IRELAND.

The EARL of RODEN said, he was anxious to put a question to his noble Friend the First Lord of the Treasury, on a subject of the deepest importance, not only to that part of the Empire to which it referred, but to the Empire at large. In doing so, however, he must ask pardon of the noble Earl for having departed from the custom of that House, and omitted to give him the usual notice. It was now Friday night, and if he were then to give notice to the noble Earl, he would not have an opportunity of putting his question and receiving an answer until Monday, and he feared that great apprehension and anxiety would arise in the minds of those to whom the subject referred in the interval. On referring to the reports of the proceedings in the other House of Parliament, a few days ago, he confessed he was extremely surprised and alarmed to find, on the introduction of certain Bills connected with landlord and tenant arrangements in Ireland that one of the Bills so presented to the House was one that was better known by the name of "Mr. Sharman Crawford's Bill." Now, he begged to remind their Lordships that that measure had been twice at least under the consideration of the House of Commons, and on each occasion had been almost unanimously rejected. It had been conceded, not alone by Gentlemen seated on one side of the House or the other, but by men of all parties, that that Bill partook of a character which was calculated to overthrow the best interests of property in whatever country it might chance to become law. He was sure that no one in their Lordships' House would ever sanction so unjust a proposition, and therefore he had no fear of its ever passing into law; but the circumstance to which he had alluded must, he was confident, have the effect of greatly agitating the minds of all persons who were possessed of property in Ireland, and of imparting feelings of triumph to those who having no property themselves wished to destroy the property of others. The night before last this measure was introduced with other measures to the consideration of the House of Commons, and with those other measures was proposed for a second reading, and the proposer of that second reading was one of Her Majesty's Ministers, a colleague of his noble Friend at the head of the Government. He (the Earl of Roden) would not attempt to express what must be the feelings of all loyal men, all men of property in Ireland, when they found that, so far as they had gone, Her Majesty's Ministers seemed to have sanctioned a measure which contained propositions of so Communist a character that it had been twice rejected by the House of Commons as one which it was totally impossible that Parliament could give its assent to. The question which he would take the liberty of putting to his noble Friend was, whether the proceedings which had been adopted in the other House of Parliament had been taken with his sanction; and in case the Select Committee to which the Bill had been referred should unhappily sanction the measure as one proper to be adopted, whether Her Majesty's Government were prepared to support and carry it into law?

The EARL of DERBY said, he had no difficulty in answering the question of his noble Friend, because his attention had been called to the matter he referred to yesterday or the day before by some of the representatives for Ireland, who shared in the apprehensions which his noble Friend entertained in consequence of what took place in the House of Commons two or three nights ago. But in order to make intelligible what did take place on that occasion, he would explain what his noble Friend might be perfectly familiar with, but some of their Lordships might not so well know—the circumstances under which the transaction took place to which his noble Friend had adverted. It was in the knowledge of his noble Friend, and, probably, of most of their Lordships, that the attention of the Irish Government, and especially of the Attorney General for Ireland, of whom he might say that no Government had ever had the services of a more able, zealous, and useful officer, had since their accession to office been directed to the best means of developing the resources of Ireland, of encouraging the application of capital to the land of Ireland, and of improving the relations subsisting between landlord and tenant in Ireland; and however delicate and difficult some portions of that subject might be, he was sure their Lordships would admit that there was no subject which more deserved, and particularly at this moment, the attention of those who were anxious to see the landed property of Ireland recovering from the depressed condition in which in which it had been for the last few years. The consequence of the attention which the Irish Government gave to this subject was, that, with great pain and labour, the Attorney General for Ireland, more especially assisted by the Solicitor General and the Chief Secretary for Ireland, prepared what might be almost considered as a code of laws having reference to the relations between landlord and tenant, comprised in four separate Bills, every one having distinct objects, but all connected closely together, and bearing upon one another. The first of these Bills had, he believed, the effect of facilitating the application of capital to land by the tenant for life, the tenant for life being, under certain circumstances, authorised to charge the expense as an advance from himself personally to the estate, consequently rendering facilities for the application of capital to land. The second Bill gave facilities, under certain circumstances, for the application of capital to the land by the tenants, with the consent of their landlords, subject to the control and superintendence of the Board of Works especially, the machinery of which had been employed with great success of late years in Ireland. The third was a most important Bill for consolidating and bringing into one statute the whole of the law having reference to the relations between landlord and tenant in Ireland—a work of great detail and involving much consideration, but which, if successfully carried into effect, would not only materially improve, but greatly simplify and render of much more easy reference, the existing law, which was now spread over some hundred of statutes. The fourth Bill was intended to settle the terms under which compensation could be claimed by the tenant and enforced against the landland for unexhausted improvements, subject to certain restrictions and regulations. These four Bills, all bearing upon one another, stood a few nights ago for a second reading in the House of Commons; and he thought their Lordships would readily agree that if they were to pass at all, or receive due consideration by Parliament, it was desirable that no time should be lost with a view of obtaining a second reading of those Bills, and in order that they might be sent with the least delay to the investigation of Committees. Those of their Lordships who had experience in dealing with questions of that kind would also be further of opinion, that in order properly to discuss measures which involved such details, it was expedient that they should be referred, not to a Committee of the whole House, but, in the first instance, to a Select Committee. Now, if the second reading of those Bills had been postponed until after Christmas, considering that Easter would fall very early next year, and that very few days would be at the disposal of the Government between Christmas and Easter, there might be considerable risk that the second reading would not take place until after the Easter recess; and in that case they must be aware that the passing of the Bills in that Session would be absolutely impossible. It was thought desirable, therefore, that these Bills should procced to a second reading, and be referred to the consideration of a Select Committee. At the same time, it happened that there was a Bill in the House of Commons which had been brought in by an independent Member—a learned Gentleman (Mr. Serjeant Shee) who had recently, for the first time, taken his seat in that House, which was, in some respect, *pari materia*, founded upon a different principle from that of the Attorney General for Ireland, but dealing with the question of compensation to the tenant for exhausted improvements. That Bill was, in substance, the one which his noble Friend had referred to as having been brought in by Mr. Sharman Crawford in former Sessions of Parliament, which had in former Sesssons been rejected, and which he (the Earl of Derby) trusted would in future Sessions also be rejected; because he had no hesitation in saying, that he thought that the principle on which the Bill was framed was entirely subversive of all rights of property; and he was quite certain it would never be passed into a law either by the present or any future House of Commons that was desirous of maintaining the just rights of property, while disposed to give due encouragement to the improvement of the land. Now as this Bill was *pari materia* with one of the four Bills introduced by the Attorney General for Ireland, it was thought it might be difficult to obtain the assent of the House of Commons to the immediate passing of the second reading of the four Bills of the Government, and their immediate reference to a Select Committee, without, at the same time, giving an opportunity to the hon. and learned Gentleman who introduced the other Bill, of having his measure placed in juxtaposition and comparison with the Bills of the Attorney General for Ireland. and of sending them to be investigated by the same Committee. Therefore, it might be technically true, though he (the Earl of Derby) was not certain that it was so, that the second reading of that Bill was moved by a Member of the Government; but if it were so moved, he was confident it was on the distinct and positive declaration made at the time that the taking of the second reading of that Bill was merely *pro formâ*, for the purpose of referring it, together with the other measures, to the consideration of the Select Committee; that it involved no assent to the principle of that measure, and that Her Majesty's Government were so far from sanctioning the principle of that measure, that they were decidedly opposed to the main principle, and to the provisions contained in the bill of Serjeant Shee. If, therefore, any step had been taken which apparently forwarded this measure, it had been taken only for the purpose of bringing it in juxtaposition and comparison with the Bills of the Attorney General for Ireland, which were founded upon a different principle; and he had no hesitation in saying that, although he thought the course which had been taken by the House of Commons was, on the whole, a sound and wise one, as tending to give an opportunity for a full and ample consideration of the most important question, yet he was as opposed, as his noble Friend himself could be, to the principle of the Bill introduced by the hon. and learned Member (Mr. Serjeant Shee). He thought it as destructive of the rights of property as his noble Friend did, and he could not believe that any Committee, representing the opinions of a considerable number of the Members of the House of Commons, would sanction the adoption of that principle or the passing of that Bill; and further, whatever might be the opinion of the Committee, he was satisfied that no such sanction would be given by her Majesty's Government to the passing of a measure, the effect of which appeared to him to be that of an absolute confiscation of property. At the same time, proceeding, as he hoped the Committee would do, on the basis laid down by the Attorney General for Ireland on the part of the Government, he thought it would be useful for the Committee to have before them the measure by which the hon. Gentleman proposed to deal with the same question; for there might be details with respect to which some useful modifications might be adopted, and advantages gained from a comparison of the views of persons starting from different points, but desirous at the same time of legislating for the interest of the improving tenant. He repeated, that the passing of the second reading of the Bill of the hon. and learned Member (Mr. Serjeant Shee) must not be taken in the slightest degree as any indication of a disposition on the part of the Government to countenance its principle, the object of referring that measure to a Committee being solely to give more ample opportunity for the consideration of an important question involving a variety of details, which, if brought to a satisfactory issue, would confer a great benefit on all persons interested in the land of Ireland.

The EARL of WICKLOW had no doubt the explanation of the noble Earl would give general satisfaction; but he was bound to say that he thought he had not given sufficient consideration to the importance which attached to the admission of a principle of a Bill by agreeing to the second reading. As the obnoxious measure in question had been rejected by all preceding Governments, he was the more surprised that a Government which had brought forward such admirable measures to carry their object into effect, should have assented to the second reading. He believed that the Bills laid before the House of Commons by the Irish Attorney General would give general satisfaction to the country; they were both desirable and necessary, and in their preparation that learned Gentleman had shown great information and research. He trusted that the statement of the noble Earl would remove any disagreeable impression which might exist in Ireland or in this country, owing to the circumstance already reverted to.

The EARL of DERBY was glad to find that the noble Earl had made himself so thoroughly acquainted with the principle and details of the Bills introduced by Her Majesty's Government; and he was glad also to have that opportunity of correcting any misapprehension—if it prevailed—as to the extent which the Government could be supposed to have admitted the principle of Serjeant Shee's Bill by the course which was taken in the House of Commons the other night. He could assure his noble Friend, that not only was it the practice of their Lordships' House frequently to permit a second reading to be taken *pro formâ* for the purpose of discussing a Bill at another stage, but in the present instance the opinion of the highest authority in the House of Commons had been asked, and he had distinctly stated that there could be no assent to the principle when it was announced that it was taken *pro formâ.* Moreover, when two Bills were presented at the same time, founded upon different principles, and the House gave a second reading to both, surely it could not be supposed that they gave their assent to the principle of both, when their only object was to refer them to a Select Committee.

The EARL of ST. GERMANS believed that a number of Members had left the House of Commons on the evening when these Bills were before it, under the impression that it was not the intention of the Government to accede to the proposition relative to Mr. Serjeant Shee's Bill, and it was with great surprise they heard next morning what had been done. He thought it was an unfortunate proceeding, because very erroneous impressions would in consequence be produced in Ireland, and a great stimulus given to the proceedings of the body who had formed themselves into something like a Convention in that country. When addressing their Lordships on this subject, he could not but refer to the labours of Mr. Tighe Hamilton, a gentleman who had held an important office under the Irish Government. He had not seen any Bill prepared by that gentleman, but he had read the pamphlet in which he described the main propositions of a measure upon this subject, and it appeared to him that they were in many respects preferable to the measure proposed by the Government.

The EARL of DERBY did not wish to canvass the pamphlet of Mr. Tighe Hamilton. He had not seen that pamphlet; but it would be extraordinary if, in a great degree, his plan did not resemble the present measure; because, though a charge had been made in the House of Commons that the Attorney General for Ireland had borrowed his Bills from Mr. Tighe Hamilton, the fact was that the Attorney General had not seen that gentleman's pamphlet—whilst Mr. Tighe Hamilton had prepared his details from a work by Mr. Vance and another gentleman, which had been executed under the direction, superintendence, co-operation, and advice of the Attorney General; consequently, if the Attorney General had borrowed at all, he had borrowed from his own original work, and not from Mr. Tighe Hamilton's pamphlet.

House adjourned to Monday next.

HOUSE OF COMMONS,

Friday, December 10, 1852.

Minutes.] Public Bill.—2° General Board of Health.

THE AUSTRALIAN COLONIES.

Sir WILLIAM MOLESWORTH said, he begged to put to the right hon. Secretary of State for the Colonies a question with reference to the very important petition which had been presented last Session by the noble Lord the Secretary for Ireland from the Legislative Council of the Colony of New South Wales. In that petition the Legislative Council of New South Wales repeated the solemn protest and declaration of their predecessors, the Legislative Council of the whole Colony, now divided into New South Wales and Victoria. That solemn declaration was to the effect—1. That the Imperial Parliament ought not to appropriate any of the moneys levied by the authority of the Colonial Legislature, as Parliament had done by the schedules to the Imperial Act 13 & 14 *Vic.* c. 59. 2. That the revenue arising from public lands should be subject only to the control and appropriation of the Colonial Legislature. 3. That the Customs, and all other departments, should be subject to the direct supervision and control of the Colonial Legislature. 4. That the whole patronage of the Colony should be vested in the Governor and Executive Council, unfettered by instructions from the Secretary of State for the Colonies. 5. That no Bills should be reserved for the signification of the pleasure of the Crown, unless they affected the prerogatives of the Crown, or the general interests of the Empire. The Legislative Council had also declared, that if these grievances were redressed, they would provide for the whole cost of their internal government, civil and military, and would grant to Her Majesty an adequate Civil List, instead of the sums appropriated in the schedules to the Imperial Act of the 13 & 14 *Vic.* c. 59. They therefore prayed that this House would adopt measures for the early redress of those grievances. As he (Sir W. Molesworth) had presumed to propose such measures, when new constitutions were given to the Australian Colonies in 1850, he would now ask whether it was the intention of Her Majesty's Government to take any steps to comply with the prayer of this most important petition?

Sir JOHN PAKINGTON said, the hon. Baronet might recollect that when the important petition to which he referred was presented to the House last Session, he (Sir J. Pakington) had given a pledge that during the then ensuing recess he would closely and carefully analyse the prayer of that petition. This pledge he had redeemed; he had carefully investigated every portion of the petition, and, with his Colleagues, had taken into consideration the very important statements it contained, with a full and anxious sense of the growing importance of the Australian Colonies, and of the extraordinary circumstances in which those colonies were now placed. The Government, after mature deliberation, had decided upon the extent to which they thought concession to that petition ought to be made, and upon the policy which they thought ought to be adopted towards those colonies; the hon. Baronet, however, would admit the impossibility, in answer to a question of this kind, of entering into an explanation of the views and intentions of Government on so large and complicated a subject. On an early day after the recess he hoped to be in a position to give to the House a full statement on the subject.

WAYS AND MEANS—THE FINANCIAL STATEMENT.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. T. DUNCOMBE: I feel, Sir, that the House is placed in rathe a peculiar position in reference to the Motion just made—that you, Sir, leave the Chair for the purpose of our going into Committee of Ways and Means, to entertain the proposition of the Chancellor of the Exchequer—that is, his Budget. I also think that I should ill discharge my duty to my constituents if I did not at once state that they do not wish their Representatives in this House of Commons, if they could be so persuaded, to entertain the proposition of the right hon. Chancellor of the Exchequer at all. I dare say, and I should not be surprised if this proceeding of mine were called factious. But that is a very old story with me. I have been called factious by all Governments ever since I first had the honour of a seat in this House, and I defy any man, or any body of men, to do their duty to the public without incurring that charge. But let me tell those Gentlemen who care about it that it means in point of fact nothing—or anything or nothing at all, as the case may be. Sometimes, when it suits them to do so, Gentlemen feel highly indignant at the charge—sometimes they treat it with the contempt it deserves. They are indignant when it suits their purpose to give that tone to the debate; but, I say, to be called factious on this occasion, is to carry out the wishes of the great body of the people—at all events, it will be carrying out the wishes of this Metropolis to oppose your leaving the Chair. Certainly the Government cannot object to that course—for that is the simple straightforward and candid way of meeting the question. We do not want your Budget, nor do we want you. And the peculiar position in which the House is placed, arises from this circumstance—that the right hon. Gentleman the Chancellor of the Exchequer has told you that he wishes to stand or fall by each and every one of his Resolutions. What is the use, then, of going into a Committee of Ways and Means on the Resolution for increasing the House duty? Suppose you carry that—there are other propositions which will be equally opposed—and you tell us that if you break down in one of them, you intend to resign. All our time, therefore, in discussing this Resolution will have been wasted and thrown away. Why not, then, take the decision at once on the question of Mr. Speaker's leaving the Chair? I do not know whether or not I shall be accused of it, but I intend no offence or insult to any one by my proposition. If hon. Gentlemen will be insulted I cannot help it. If they will say their feelings are outraged, it is no fault of mine; that is not my object. I have only to carry out that for which I rose—to bring the present question to as speedy an issue as possible. My hon. Friend the Member for Westminster (Sir J. Shelley) has abandoned his Motion for postponing the Government propositions until after Christmas. Perhaps he has had an intimation from his constituents that that course would not be satisfactory to them, and he has fortunately abandoned it. He has been told most likely that they had quite enough bills to bother them at Christmas without being kept in suspense about this Government Bill, and as to what the 654 Gentlemen who sat in that House meant to do about it. The Chancellor of the Exchequer does not give any equivalent to the country for the House duty he proposes to double besides carrying it down to the 10*l.* householders. As regards this class, it can hardly be said to exist in the Metropolis. The houses generally in London are all above 10*l.* a year; but the proposed extension will include many houses between 10*l.* and 20*l.* a year; and I understand that the Chancellor of the Exchequer has taken the 10*l.* householders because they possessed the franchise—that I believe is the basis of his calculation—and applying this House tax to them all at the same time that he doubles it in amount, estimates that it will produce only a few thousands a year over what was derived from the old Window tax. Now I am told, and I believe on very good authority, that it will produce very considerably more than that. Estimating it by the franchise, there are many thousands who cannot have been included in the right hon. Gentleman's calculation, but who will have to pay the tax, and there can be no doubt that the revenue derived from this source must be far greater than was derived from the Window tax. Take the city of York, which now pays 5,000*l.* a year to the House duty; under the proposed arrangement it will pay 7,500*l.* What equivalent does the right hon. Chancellor of the Exchequer give to the 10*l.* householders of York, who are now to be brought in for the first time within this tax? A teacup full of tea a week, or a pot of beer a year, at the most. That is all they can possibly get from the reduction of the tea duty or the duty on malt and hops. They had rather things should remain as they are, and their wish is that such a proposition should not be entertained. The right hon. Gentleman coolly told them that the Window duty (though I feel that this is not the time to go into details) was repealed solely and entirely on sanitary grounds. Now I deny that. At all events, that repeal was not based on those grounds wholly. The repeal of the Window tax was agitated in the Metropolis for thirty years before it took place. It was objected to, in the first instance, as a War tax—and though sanitary grounds were brought in as an argument against the tax latterly, it was only by way of makeweight. It was true the Sanitary Commissioners came forward and said, "We will give you our assistance, we will get your Window tax off;" but had that Commission never existed, no Chancellor of the Exchequer could have maintained the tax for any length of time. The window duty was repealed because the Government of the day found they could no longer maintain it—they saw it dwindling away before them—I went with a deputation to the right hon. Member for Halifax (Sir C. Wood), the then Chancellor of the Exchequer, on the subject; and what did that deputation tell him? They did not argue the question on sanitary grounds, but what they said to him was, "We do not mean to pay this tax any longer;" and the right hon. Gentleman saw that a determined struggle was about to commence, and that if the tax were collected at all it must be by distraining on the different houses. Such was the language of the deputation; and the then Chancellor of the Exchequer finding it useless to attempt to oppose arguments of that nature, thanked them for the ability with which they had argued the case, and complimented them on the courage they had exhibited. That was really the ground on which the repeal of the Window duty was carried, and not on sanitary considerations. Well, then, I want to know how many nights are we going to waste in discussing these details, upon which the right hon. Gentleman the Chancellor of the Exchequer has pledged himself and the Government that they will stand or fall if any one of them give way? I ask you who are against the Income tax, but favourable perhaps to the House duty, why are we to wade through this discussion on the House duty, when perhaps we shall, after all, support you in defeating the Income tax? Why should we thus waste the time of the House in what in that case will be a useless discussion? With regard to the reduction of the Malt and Hop duties also, I very much doubt if you (the Government) are strong enough to carry that. This I know, that a very strenuous opposition will be offered to that proposition; and if that opposition should succeed—as I have every reason to believe it will—what excuse shall we have to offer to the country for having wasted night after night in debating whether or not the House duty should be doubled? Therefore, Sir, I say, the way in which the question will be best understood by the public is as I propose—that is, that the objection should be taken at once, and the vote of the House taken on the question of your leaving the Chair, as a vote of want of confidence not only in the present Administration, but in the proposterous Budget which was laid before us a week ago. I can only say, from the representations which have been made to me, and the agitation which I know is going on, that I believe if the Government persevere with this Budget, or if the House of Commons should be so insane, so dead to the wishes of the people, as to sanction it, they will in so doing be entering upon a course of agitation and creating a spirit of discontent and dissatisfaction in the country which will be far less easily allayed than excited. It is on these grounds, Sir, if I can find any hon. Gentleman who will divide with me against your leaving the Chair, that I shall take the sense of the House on that question.

Mr. WALTER said, that if the hon. Gentleman (Mr. T. Duncombe) persevered in his Amendment, and divided the House upon it, he should be very happy to divide with him, not putting the question, however, upon the harsher ground of "No confidence," but on the more charitable footing, that if the right hon. Chancellor of the Exchequer was resolved upon committing an act of suicide, he should have a little more time for repentance. The right hon. Gentleman had run together a string of Resolutions which had no more to do with one another than chalk with cheese. If the House was called upon to discuss them as they stood, a more miscellaneous debate would never have been heard within those walls. He denied that there was any sort of necessity on the part of the Government to compel the House to a vote of confidence or no confidence in such a case as this. There was no deficit to make up, as when Sir Robert Peel came down to the House in 1842, yet the first thing the right hon. Chancellor of the Exchequer did was to propose an increase of taxation. He (Mr. Walter) demanded that a case should first be made out by the right hon. Gentleman for that increase of taxation. For himself, he had no abstract objection to a House tax, and he did not scruple to say that, were an increase of taxation really necessary, he should, without paying the slightest attention to any clamours outside, vote for such a House Tax as might be requisite; but to the utterly unnecessary and uncalled-for reduction of the Malt duties he was decidedly opposed. He had never met with an intelligent farmer who considered that either he or the public at large would be benefited by the removal of that tax; he did not know whether the farmers of Oxfordshire were more stupid than the rest of their profession were assumed to be; but, being a landowner himself, and having frequent opportunities of conversing with farmers, he could repeat that he had never found an intelligent farmer who felt that the repeal of the Malt tax would do him any tangible service. He should certainly, as he had before said, divide with the hon. Member for Finsbury, if he persevered in taking the sense of the House.

MR. ALCOCK said, he should have no hesitation in voting against the proposition for increasing the House tax, though he should have some doubts on the subject if he thought it would endanger the proposed reduction of the Tea duties. That was an undeniable proposition, and he believed there was no man in the country but must approve of it. He did not, however, see that it was at all necessary to postpone the question of the House tax until the question of the Tea duties and the Malt duties was considered. For his own part he should be very glad to accept the offer to remit one-half the Malt duty as an earnest that the Chancellor of the Exchequer would, as soon as porsible, abolish it altogether. He thought the country owed a deep debt of gratitude to the right hon. Gentleman for having been bold and honest enough to propose the reduction of the Tea and the Malt duties. He differed altogether from those who contended that no benefit would be derived from the repeal of half the Malt duty. He looked upon that reduction as a boon, not only to the consumer, but to the landed interest also. Was it not monstrous that 5,000,000*l.* should be derived from taxes on the beverage of the people? And yet it was said that the reduction of the duty would be no boon to the landed interest. It was proposterous to say that the farmers and landowners of England, when they were brought into competition with all the world —with all the soils and all the climates of the world—should continue to be subject to a tax equal to 500 or 600 per cent on all the barley land of the country. The amount which every man growing barley paid in the shape of the Malt tax was equal, on the average, to 5*l.* an acre, and yet hon. Gentlemen, who ought to know better, alleged that there was no objection to it on the part of the farmers. It had been said that the consumer paid the tax, but did it therefore follow that it was no disadvantage to the producer? Suppose 3*s.* or 4*s.* a ton was put upon coals in the shape of a tax, though no doubt it would be paid by the consumer in the end, would it not be considered a grievance by the coalowners? The people would never stand a duty of 3*s.* or 4*s.* a ton on coal, and the producer and consumer would equally suffer by a diminution of demand. He said that it was right to give so great a boon as a reduced duty on tea and malt, but there was no necessity in his opinion to double the House Duty. Why did they not adopt the proposition of the hon. Member for Lambeth (Mr. W. Williams), and place a Probate and Legacy duty on real property, which would produce a revenue of 1,000,000*l.*? Why did not the Government carry out the Income Tax to the whole income of the country without reservation? That tax was now only collected on 190,000,000*l.*, whereas the income of the country was 400,000,000*l.*, the tax upon which, if levied at 3 per cent, would amount to 12,000,000*l.* instead of 5,000,000*l.*, as now. He (Mr. Alcock) would have the Income Tax go down as low as the man at 12*s.* a week, who would be glad to compound for the payment of it by a reduction of the duty of 50 per cent, which was now levied on such necessities as tea, sugar, soap, and tobacco. Why not carry out the Income tax, not only to part but to the whole of the property of Ireland? He was sure the Gentlemen of Ireland would not condescend not to pay that tax in a fair proportion, when it was imposed on every man who earned as small a sum as 12*s.* a week. He also thought that the duty on tobacco, which was now from 1,000*l.* to 1,200*l.* per cent, and which caused so much smuggling, and actually was the cause of 3,000 persons being sentenced to imprisonment between 1843 and 1845, should be reduced to 1*s.* His own belief was, that more than one-half of the 55,000,000 lbs. of tobacco imported was smuggled. He thanked the House for the hearing they had given him, and all he wished to press on the House was, that there should be a reduction of the duties on tea and on malt, and that the revenue should be kept up by greatly extending the Income Tax.

SIR EDWARD BULWER LYTTON: Sir, I shall not follow the hon. Gentleman who has just sat down through all the points on which he has touched. It is true that the whole Budget is indirectly open to our consideration; but I do not think it necessary to touch upon those parts on which the House are agreed, such, for instance, as the measures connected with the colonial or the shipping interest, which other Gentlemen are far more competent to discuss than I am. With respect to the income and property tax, to which reference has been made by the hon. Gentleman who has just sat down, the question is so large in itself, and by the Amendment of my hon. Friend the Member for Montrose (Mr. Hume), it is become so complicated, by a variety, not of details merely, but of principles, that it is impossible now to discuss the question fairly, and it must be left to some later occasion, specially set apart for the purpose. But, as in the meanwhile the principal objection to the Government measure in regard to this tax relates to the extension of its area, it may be well for the country to be aware that my right hon. Friend the Chancellor of the Exchequer, as far as the extension of the area is concerned, has acted not in harsh, but in mitigated conformity with all the most valuable evidence which was given before the Committee on the Property tax; and he also acts, as far as that extension is concerned, in conformity with the suggestions of that unquestioned champion of the industrious classes, my hon. Friend the Member for Montrose. But I shall not enter into that question to-night, nor into that question which has been raised by my right hon. Friend the Member for the University of Oxford (Mr. Gladstone), how far the speech of Mr. Pitt can induce this House to believe that it is a fraud upon income derived from the property of the fundholder to diminish the tax upon income derived from profits. I take it for granted that the majority of Gentlemen on the opposite side of the House, as well as Gentlemen on this side, are agreed upon this, that you can no longer tax in the same proportion an income which a man, without any fault of his own, may lose in a moment, and income which is derived from capital which a man enjoys for his life, and which he may bequeath to his children. But then, let me suggest for a single moment this serious consideration to Gentlemen on both sides of the House—for we heard the other night speeches from two Gentlemen so pre-eminent in this House that one or other of them must be a leading Member in any Administration which may replace the present—I mean the speech of the right hon. Gentleman the Member for the University of Oxford, in which he declared that the very distinction which you desire to enforce was a positive dishonesty; and the speech of the noble Lord the Member for London (Lord John Russell), in which he declared his apprehension of the great dangers that would accrue if we depart from those principles of the income tax that have been established by successive Parliaments. This is matter for grave reflection, and may suggest to Gentlemen on both sides of the House how far by their present vote it may be desirable to destroy the first Government which has ventured to establish a distinction so important to the industrial portion of our constituencies, and to abandon that principle to the hostile feelings, or at any rate to the uncertain mercies and divided counsels, of the Gentlemen who may succeed them. And now I shall come to the main question before the House, namely, to the consideration of the indirect duties which it is proposed to reduce, in connexion with the house tax, which it is proposed to double. Sir, if any philanthropist desired to confer some special boon upon the industrious classes, the reduction of the duties on malt and tea are precisely those which he would select; and though I have seen it stated in some quarters that it would be better to prefer the reduction of some other excise duties than that on malt, such as the excise duties on paper or soap, yet that is said now by the very parties who have all along up to this period contended that the first articles to be selected for reduction ought to be those affecting the physical sustenance of the people. Now, though certain learned men have gravely informed us that sawdust may be made a very nutritious substitute for potatoes, yet I do not know that any one has ever attempted to induce the people to eat paper or soap. It was said, most forcibly, in a former debate, by the hon. Member for Montrose, that "from whatever source you derive your revenue, you ought not to raise it from the beverage of the working man and the middle classes. The question is one which affects the whole population. You have cheap meat and cheap bread, why should you not also have cheap beer?" These are sentiments worthy of the benevolence of my hon. and respected Friend. But a Chancellor of the Exchequer cannot afford to be actuated by benevolence alone, he must indulge his philanthropy only according to the rules of political economy; and, therefore, in the selection of duties for reduction, he must look to those which press most upon the commercial and industrial energies of the country, and the removal of which will tend most to the reproduction of national wealth, and therefore he selects the tea duties because a reduction of those duties tends at least to augment our trade with China, and to promote the interchange of our goods. Directly the reduction of this tax is a benefit to the consumer, while indirectly it benefits Manchester and Liverpool, the merchants and manufacturers of the country, and we, the country Gentlemen, sincerely rejoice to think so. Now let us in the same manner look at the malt tax, because, though it is not directly before the House, yet it is impossible to hear the speech of the hon. Member for Nottingham, and the cheers with which it was received, and it is impossible to read what has been said and written out of doors upon the subject, without perceiving that it is the reduction of the malt tax, taken in connexion with the doubling of the house duty, which is now prominently before the minds of hon. Gentlemen opposite. Let us see, then, if the reduction of the malt duties does not proceed upon precisely the same principle as the reduction of the duties on tea. I grant that we shall not obtain anything like a proportionate advantage from the reduction of half the malt tax that would accrue from its total repeal. I grant that we shall still retain the costly and vexatious machinery of the excise restrictions, and that by retaining half the tax you will still cripple the farmer in the direction of his capital, and in the preparation of malt, whether for fattening his cattle or for brewing his own beer. But what then? It is still a bold step in the right direction. It is so, considering the state of the revenue, and considering the feelings of Gentlemen on this side of the House, who never desire to forget the claims and interests of other parties. But I frankly tell my right hon. Friend the Chancellor of the Exchequer, that so long as a revenue is drawn from this duty, so long as the farmer is impeded in the direction of his industry and capital, so long, hon. Gentlemen may rely upon it, will the country party endeavour to obtain for the farmer, through the means of free trade, fair and impartial justice. Still, while I admit this to the hon. Gentleman the Member for the North Riding of Yorkshire, and while I agree with his arguments in favour of a total repeal of the malt duty, I would remind him that a diminution in the amount of this tax so far lessens the great financial difficulty of getting rid of it altogether. But even suppose you were to doubt the benefit of the reduction of this tax to the farmer, surely no one will be absurd enough to deny that the reduction of this tax by one half will cheapen the price of beer — that no monopoly of the brewers can altogether defeat this intention of the Legislature, in the face of public opinion—and that if they should attempt to do so, it would only unite all parties in favour of an alteration in the system of licensing. I remember the hon. Member for Derby (Mr. Bass), who is a great practical authority on this subject, and who is the great reformer of the principles of British ale, on a former occasion, brought forward a Motion for a reduction of the half of this tax, and he rested his whole case on the argument—which he accompanied with his own personal guarantee as an eminent brewer—that the reduction of the half of this tax would give good beer to the people at a more moderate price. I myself, since the Budget, have had an opportunity of speaking to persons eminent in the trade, and their calculation is that a reduction in the tax would cause a reduction in the retail price of superior beer to the extent of a penny a quart. ["Oh, oh!"] Well, but I have a right to my calculation, if you have a right to yours, and do not forget your own arguments with regard to the corn laws. You said, "we do not pretend to fix the point to which the price of bread will be reduced by the repeal: all we can do is to legislate so that our legislation ought to reduce the price." The reduction of the duty on malt, therefore, is the same in principle with the reduction of the duty on tea. It is intended directly as a benefit to the consumer, and indirectly as a benefit to the farmer, just as the reduction of the duty on tea is intended directly as a benefit to the consumer, and indirectly as a benefit to the merchant and manufacturer; and in order to see how far this reduction will benefit the farmer, I shall read to the House a short extract from that great finance and free-trade authority, Mr. M'Culloch. He states that though the malt tax falls directly upon the consumer, "still, however, it must be admitted, that indirectly it is an especial injury to the agriculturist;" and he says, "Suppose a high duty were laid upon calicoes and broad cloths, it would fall upon the consumer, but not the less it would be a serious injury to the manufacturer. In point of fact, a duty of 3½*d.* per yard was imposed previous to the year 1831 upon printed cottons; it fell directly upon the consumer, but indirectly it was so injurious to the manufacturers, that, in consequence of their well-founded representations, the duty, which produced 600,000*l*., was repealed, and the results have been sufficient to testify to the policy of that measure. The case of malt is precisely analogous, and may be stated to show that the injuries produced by a duty on cotton may, *mutatis mutandis*, be applied to describe the injuries produced by a duty on malt." Now, it may be said that all this goes to prove the advantages of a total repeal of the malt tax; but subsequently Mr. M'Culloch, despairing of the total repeal, suggests the very measure that is now before the House, namely, a reduction of one-half the duty. But, because this question is accompanied indirectly with benefit to the farmer, and is accompanied by a double house tax, we are told that this is a question of town against country. No, Sir, it is a question of free trade against restriction: it is a question whether you will attempt to lower the price of an article of popular subsistence—whether you will remove a check which operates directly against an important branch of the industry of the country—and it is accompanied with a direct tax which would be fair and just, and as such is recommended by all political economists, even if it were not accompanied with any reduction of the malt tax at all. But I suspect that what deprives this reduction in the duty on malt of all merit in the eyes of hon. Gentlemen opposite, is the very reason that should induce them to support it, namely, because it removes some weight from that class which has the most cause to dread competition. I fear that if the measure proposed inflicted some new hardships on the agriculturists, and gave to hon. Gentlemen opposite a new triumph of class and party—and if all the agriculturists were therefore combined against them, we should hear of nothing but the selfishness of squires and farmers, who refused to cheapen the price of beer for the benefit of their poor countrymen. Better at once support the doctrine that because the farmer contends that he is suffering partial distress, therefore he is not to be impartially relieved; that because in the cultivation of wheat he is subjected to unrestricted competition, therefore his industry is to be fettered in the cultivation of barley. And what is this grain thus selected for fiscal harassment and discouragement? Why, the grain which, above all others, is adapted to the climate and soil of this country. In wheat we are equalled, perhaps excelled, by other countries—in barley we are unrivalled; and this article in which we are unrivalled is the very one which you specially select for impediments in the employment of industry in its most profitable channel. This is more than an injury to the farmer—it is more than a grievance to the consumer—it is a perverse and elaborate rejection of one of the most fertile sources of national wealth which Providence has conferred upon this country. If hon. Gentlemen do not object to the malt tax considered in itself, what is it to which they do object? You say you object to the house tax being doubled for the benefit of the farmers; but that is simply to say that you object to the further extension of free trade when it operates against the other classes whom you represent. What is it you object to in the house tax? Do you object to the tax itself? You cannot do that, because it is a tax which has been specially selected by all authorities on the subject as a tax which they would recommend for almost indefinite extension. Mr. Mill says, that of all possible taxes a house tax is one of the fairest, because it falls upon a man in proportion to his expenditure; and Mr. M'Culloch, almost anticipating the measure now before the House, years ago advised that we should commute the tea duties, the more obnoxious excise duties, nay, half the malt tax—what for?—for a tax upon houses; and this, too, at a time when the window duties were still in existence. The only point worthy of consideration is that which has been suggested by the hon. Member. But the hon. Member for Lambeth (Mr. Williams) suggests that instead of the house tax we ought to impose the legacy duties upon realised property. Now I frankly own to the hon. Gentleman that the feeling out of doors on this subject is so strong, and partly so reasonable, that if you are to continue these duties at all, sooner or later they must be applied to all descriptions of property. I grant that; but then in return I think you will grant me this—that the question is, which is the best tax of the two? and I think I shall show that on sound financial principles the tax which you propose is infinitely more objectionable in itself than the house tax. All political economists, and indeed all educated men, agree that taxes ought to fall, not upon capital, but upon expenditure. When a tax falls upon expenditure, you supply a stimulus to the person paying it to make it up in some other way; but when the tax falls on capital, that stimulus is not given, the tax is not made up, and the loss is one which falls upon the very wealth of the nation. But of all taxes upon capital, that which directly taxes capital itself is the worst; and, therefore, Mr. Ricardo singles out the legacy duty for unqualified condemnation. His argument, if I remember right, is somewhat this: "Suppose I have a legacy of 1,000*l.*, and the State takes 100*l.* from me in the shape of a legacy duty; I should only consider that I have received 900*l.*, and I have no particular motive to make up the loss by lessening my expenditure. But if I have received a legacy of 1,000*l.*, and 100*l.* is taken away in a variety of other taxes, such as a tax on house, servants, horses, wine, &c., in all probability I shall decrease my expenditure to that amount, and so the national wealth will remain unimpaired." So that, this tax being bad in principle—bad on all the principles relied on by hon. Gentlemen opposite—surely it is wise not to increase that tax to such an extent as that it can never be taken off from the national revenue. Besides, it is obviously unjust to inflict this new burthen on land and real property until you have first taken off all the stamp duties that at present press unequally on the transfer of that description of property. For landowners are not, as a class, those great leviathans they have been represented. On the contrary, it has been proved in statistical evidence that the average income of all the landed proprietors of the kingdom amounts only to 150*l.* a year; and as this average includes all the great landholders, it follows that there must be a great many landowners whose incomes are much below that average. Therefore a legacy duty on these small properties would necessitate sale or mortgage; and the abolition of the stamp duties must in common justice accompany the imposition of the legacy duty. So, then, you see that these operate against your substitute of the legacy duty, or level first the objections to all legacy duties whatsoever, and next the necessity of first abolishing all stamp duties on the transfer of that property in particular; while the house tax is one which political economists approve in itself, and can be adopted as a single proposition on its own merits. But you object to the extension of the area. Yet no man can deny that the same principle which you apply to the income and property tax you must apply in a still more rigid manner to the tax on houses. The only exemptions you can allow are the classes who live on the wages of unskilled labour; the only limit should be that at which it becomes unsafe or impossible to collect the tax. But then we are told that the tax will interfere with the elective franchise. This, no doubt, is a grave consideration; but there is a consideration before the House which is still more grave, and it is this—the 10*l.* householders now form a large portion of the electoral constituency, and it becomes a matter of great danger if a class which exercises so great an influence on all the taxation of this House, is itself altogether exempted from the taxation which it has the power of inflicting upon other classes. Now, if the House should resolve to sanction and enforce such a principle as this exemption by a deliberate vote, they will affirm the principle by which the old republics were first corrupted and then destroyed; they will sanction a principle which justifies the people of France in preferring an absolute monarch to the workings of an unrestrained democracy; and that principle is the confiscation of property—confiscation for the benefit of numbers. And now, one word for the farmer. I wish hon. Gentlemen opposite would dismiss altogether from their minds the spectre of compensation; for if compensation were sought for by the reduction of half the duties on malt, it would indeed be a miserable dole, altogether unworthy the House of Commons. But still the relief would be real, though I grant it would not be large; it would be a real and practicable relief to agriculture, and that I will show if the House go into Committee on the subject. But it is not always the amount of relief given, but the mode and spirit in which it is offered, that allays dissatisfaction, and reconciles those who suffer from the crises which the changes in our national policy sometimes compel classes to undergo. We feel this when we have to deal with Ireland; one Government can often do very little more for that country than another; but it is the *animus* in which the offers of relief are made—the desire to do something—that makes all the difference between the Government which the Irish people are prepared to approve, and the Government which they are prepared to detest. So it is in England. All men are governed by their feelings as well as their interests. Men are not leather bags or strong boxes—but living beings, with hearts in their bosoms and blood in their veins—who can appreciate kind intentions as well as resent the systematic disdain of their complaints. I entreat you, then, not to treat the British farmers as if they were your enemies. You are not political economists only—you are politicians—you are English statesmen; and even supposing that the distress of the farmers is exaggerated—suppose that the farmers are the only persons in the world who never know whether their pockets are full or empty, still you cannot deny that they believe they are distressed—they assert that they have been injured, and that impression tends to produce disaffection; I put it to you whether it would not be wise and politic to remove the impression which alienates your countrymen from the laws. And what is this class? Why, that in which you have hitherto found, in times of danger and in case of war, that cheap defence of nations which consists in the ancient loyalty and the love of the native soil. It is seldom that the removal of disaffection can be purchased at too dear a rate; but now that you can do it so cheaply, and strengthen your country in the affections of its best defenders, how can you hesitate to accept the advantage? But the fact is that behind all these questions there is to be found another which forcibly presses itself upon the consideration of the House. I should be the last person to impute to hon. Gentlemen a single factious or unworthy motive; but you have been so severe on the inconsistency of hon. Gentlemen on this side of the House, that you will allow me to ask you respectfully whether consistency of principle, independent of party, be precisely that virtue of which you set us an example—when, having first desired that we should recognise free trade as the guide of our future proceedings, no sooner is that concession made by the Government than the very gravamen of the charges against that Government is the concession it has made. Surely never before were men who were in earnest about a principle, so angry when they heard that their principle was not to be opposed. You have specially invited the Government, by the Resolution of my hon. Friend the Member for Wolverhampton, to a farther extension of the principles of free trade; and now that measures in that direction have been prepared, accompanied by a direct tax so sound in its principle that there is not a single political economist whom you can cite against it, at once free trade is given up, political economy is thrown aside, and restriction on industry becomes the cry of the towns, in order to prevent free trade being carried out for the benefit of the country. It is so impossible to ascribe all this to unworthy or paltry motives, that I ascribe it rather to that honourable ambition which induces you to substitute a Government composed of the men you prefer, for a Government whose measures you are compelled to be inconsistent in order to disapprove. Now, one word with regard to myself, for it applies equally to Gentlemen on this side of the House whose adherence to the cause of free trade you have somewhat ungraciously received. The opinions which I entertained upon the subject of a repeal of the corn laws gradually estranged me from a party to which I formerly rendered some trifling service—a party in which I still recognise not only private friends, but many accomplished politicians and statesmen—of consummate talents and experience. But it was not on that single question alone that I transferred my very humble support to the party and policy represented by the present Government. I did not make that transfer so long as the late Administration lasted. I did not do so till that Administration—I hope I may say so without offence—died from its own exhaustion. Not until the noble Lord the late Premier, looking at the state of parties, could see no other person but Lord Derby to suggest to Her Majesty as his successor—not till, regarding the position of affairs at home, still more the position of affairs abroad, I myself believed that it might be for the welfare and perhaps for the safety of the country, to give to Lord Derby's Government a fair and a cordial trial. It was first to that trial that I bounded my support; but I did so with full allowance for all the difficulties which the Government would have to encounter, and a firm belief that it would unite a conciliatory policy towards a class in which prolonged distress had produced a deep-seated sense of injustice, with that rational respect for public opinion which Lord Derby frankly expressed so soon as he acceded to office. In that school where I learnt the meaning of constitutional liberty, it was never considered a disgrace to a Minister of England to regulate, not indeed his private doctrines, but his political conduct, according to the opinions of his time. Nor did I ever think I should hear a taunt on the expediency of bowing to public opinion from the very men who have threatened to change the constitution itself in order to bring us still more under the influence of popular control. But that which has sanctioned and confirmed the support which I now tender to the Government is not any question connected with agriculture; it is not any party consideration; it is simply this—the disposition they have shown to promote general measures for the improvement of the laws, and for advancing the welfare of the people. I do not allude alone to reforms of the Court of Chancery, nor to the programme of useful measures announced in Her Majesty's gracious Speech, nor to the financial projects now before the House—of which I sincerely approve—but I must look also to the liberal and enlightened speech of the right hon. the Chancellor of the Exchequer the other evening. I see there, for the first time, the pledge from a Minister of the Crown for economy and retrenchment, in the implied promise of large administrative reform. I see there a capacity to deal with the most complicated of social questions—that connected with criminal punishment. I see a general understanding of what I conceive to be the great want of this time—for I believe the great body of the intelligent public are disposed to favour the policy of a Government which, while it will be conservative of the great principles of the constitution, will make that constitution suffice for all purposes of practical reform. It is by measures and sentiments like these that the Government has shown already that they do not come into office as the exclusive advocates of a single class, or the inert supporters of a retrograde policy. On the contrary, the more they can mitigate the sufferings of every class, whether commercial or agricultural, the more worthy they will be of the support of that House of Commons to which every section of the community that contributes to the supplies has a right to come for the redress of grievances; and if they can so contrive that no large portion of the community shall be left excluded from that prosperity which is paraded before our eyes, the more they will unite all classes and interests to co-operate with them in that calm but continuous progress in which it is the duty of every Ministry to maintain our hereditary place in the foremost rank of European civilisation. Therefore, for my part, I declare that the satisfaction with which I shall give my vote in accordance with the intrinsic merits of the question immediately before us, will be increased by thinking that it is one vote amongst many which may serve to continue this Government in its career of useful and liberal legislation; believing, as I do, that those same causes of dissension which before rendered a Ministry formed from the opposite benches so weak and ineffective, in spite of the honesty, the virtues, and the genius of the men who composed, and the Premier who presided over it, do still exist, and will still prevent that unity and firmness of purpose which can alone render effectual the desire to preserve—perhaps against attacks from its own supporters—that balance between safe reform and hazardous experiment on which I believe, in my conscience, depend the continuance of our prosperity and the stability of the Empire.

Mr. GLADSTONE: Mr. Speaker, if it be any satisfaction to the hon. Baronet, my hon. Friend who has just sat down, to widen the question now raised respecting the House resolving itself into Committee, in order that we may proceed to the consideration of the House Tax—to extend that question, in the first place, to a detailed discussion of all the more important items in the Budget, and then to pass from the discussion of the entire Budget to an eloquent and elaborate defence of the policy of the Government, and likewise to enter on a spirited vindication of his own character and conduct—so far as I am aware, impugned by no man—it is a satisfaction of which I, for one, would be most sorry to have deprived him. But, on the part of this House, on the part of the principles which regulate the conduct of public business, I cannot refrain from making an appeal to you and to others, and from pointing out that if it is really intended that we should make progress towards a decision on the measures of the Government, it is most important that we should condescend, at whatever sacrifice of our own oratorical prepossessions, to approach the consideration of these measures in their natural order. Upon that ground, with my hon. Friend the Member for Nottingham (Mr. Walter), I entirely decline to accede to the doctrine that the Vote now before us, or that any vote we may be called on to come to in Committee of Ways and Means, is to be understood as a vote of confidence or no confidence in the Government. It may suit the convenience of persons or of parties, sometimes of one, and sometimes of another, to attach to discussions respecting the taxation of the people the character of votes of confidence and no confidence; but I say, on the part of this House, that nothing can be more dangerous, nothing can more tend to corrupt the House of Commons in the discharge of its high functions, than allowing considerations purely political to become the governing and determining motives in voting for or against particular taxes. I hold, and I have always held, that the primary duty—perhaps the highest, certainly the most elementary, and the most ancient, and the most important among all our duties—is to provide the means which are requisite for carrying on the public service; and I say you cannot exercise a deliberate and dispassionate judgment on the provision of those means—you cannot arrive at a safe conclusion respecting the method in which the funds necessary for the public service are to be obtained from the people —if you allow yourself at every stage of your progress to be drawn off from the consideration of the propositions or their intrinsic merits, in order rather to take a view of their bearing on the interests or convenience, I will not say of obsolete factions but of political parties. The question before us is whether we shall consent to entertain the financial propositions submitted by the Government, and shall accordingly proceed in Committee to examine them in their proper order. I think that, after what took place on Friday night last, it is impossible for the House to refuse to go into Committee. I, for one, cannot divide with the hon. Member for Finsbury (Mr. T. Duncombe) if he should press his Motion to a division. But at the same time, although I go into Committee on the ground of an understanding which I think has generally prevailed, and also on the ground of practical convenience, I am bound to say I do so under protest, and for two reasons, which I will briefly state to the House. The first of those reasons is, Sir, that for the first time within my recollection, I think for the very first time, and perhaps for the first time within the recollection of men much older than myself, a Budget has been presented to us on the part of the Government, in which I presume to say it is not professed to provide for the service of the year one single farthing beyond what is absolutely necessary to meet that service. The right hon. the Chancellor of the Exchequer, it is true, upon the figures he has submitted to the House, purports to show a surplus of 400,000*l.*; but that 400,000*l.*, which he will apply, I say, to the service of the year, is not money raised for the service of the year—it is simply and solely—and I think it is the first time I have known such a proposition to be made—it is simply and solely so much debt which it is proposed virtually to assign to that purpose. In former years it was found convenient to borrow money for the purpose of lending it out again for useful public works. The right hon. Gentleman says it is necessary to put an end to that system. The repayment of this money will come in this year at the rate of 400,000*l.* On money borrowed for public works coming in, what ought to be done with it? It is a question I am ashamed to ask. There is no man in this House who will not say at once that money borrowed for the purpose of public works ought to be applied to the extinction of the debt by creating which it was obtained. But the right hon. Gentleman applies it to the service of the year. By creating debt for the service of the year, he shows a surplus of 400,000*l.* I protest against a recognition of the principle that it is the business or duty of the Minister to submit an estimate of Income and Expenditure for the year in which he makes no provision beyond the absolute minimum which that service will require. The other ground on which I protest against the mode and order of proceeding, is one to which I glanced on a former night. I took the liberty of requesting the right hon. Gentleman to consider that representation. He did not think fit to do so, but gave a negative answer on the instant. It is necessary, therefore, I should state afresh the grounds of my protest, and I shall be much surprised if I do not show the House they are no light grounds, whether considered in their own intrinsic reasonableness, or with reference to the authority from which I think they derive their strongest and most positive support. The ground I took was this—that, in making provision for the service of the year, the House of Commons ought not to remit taxation until you have made sure of your Ways and Means for the year, and therefore I may presume to say to the right hon. Gentleman that he would be wrong if he called on us to deal with the minor items of his Budget—if he called on us to settle the question of the House Tax—and especially if he called on us to proceed to the remission of any duty, until he had obtained from this House a new recognition of the principle of the Income Tax. And in so doing, I stated the principle on which Sir Robert Peel proceeded in 1842. At that period he was pressed from all quarters, and with much reason, because of the great inconvenience to trade in consequence of delaying the discussion of the tariff—he was requested to proceed with the discussion on the tariff, before that on the Income Tax. He steadily refused. It was even imputed to him that he was insincere, and meant to throw over the tariff when he had got the Income Tax. He repelled, as well he might, such an imputation with scorn, and he obtained from this House the second reading of the Income Tax Act before he would proceed to discuss any remission of taxation. That, I say, is a sound and reasonable principle, and that is the principle in favour of which I wish to record my protest. But I intend to support my protest by reference to the conduct of another authority. It is not the first time a protest of this nature has been taken. We had this matter fully discussed at a recent period, and that period was only last year, 1851. I will state to the House briefly the circumstances of the two cases. In 1851 the Income Tax had been renewed only for a single year. In 1851 there was a surplus of 2,000,000*l.* The right hon. the then Chancellor of the Exchequer (Sir C. Wood) proposed to the House—with the Income Tax about to expire in nine months—he proposed to the House to deal with certain branches of revenue—he proposed to exchange the Window Tax for a House Tax, and in so doing to sacrifice some 600,000*l.* upon the service of the year. I think I am correct in that statement. One half of the remission only would come to be charged on the year. Half of the Window Tax was 950,000*l.*, and half of the House Tax 350,000*l.* It, therefore, appeared he would make a sacrifice of 600,000*l.*, and retain a surplus of 1,400,000*l.* Under these circumstances the right hon. Gentleman the Chancellor of the Exchequer (Mr. Disraeli) made a Motion in this House, which was supported by myself, and to the reasonableness of which I still adhere. On the 24th June, 1851, the following Resolution was submitted as a condemnation of the conduct of the then Chancellor of the Exchequer:—

"That according to an Estimate of the probable future produce of the existing taxes, submitted to this House by the Chancellor of the Exchequer, it appears that a surplus Revenue may be expected in the present year to the extent of about 2,000,000*l.* That in the Revenue so estimated is included a sum exceeding 5,000,000*l.*, derived from the Tax on Income, respecting which an inquiry has been directed to be made by a Committee of this House, on the result of whose labours may depend the future renewal or modification of that important impost. That in this provisional state of the financial arrangements of the country, it appears to this House to be most consistent with a due regard to the maintenance of public credit, and the exigencies of the public service, not to make any material sacrifice of public income in effecting such changes as may be deemed advisable in other branches of taxation."—[3 *Hansard*, cxvii. 1164.]

That Motion was moved, Sir, as an Amendment to your leaving the Chair to go into Committee on the House tax, and the principle of it was, that because the Income tax was only renewed for a year, it was not justifiable to sacrifice 600,000*l.* of taxation, although it left a surplus of 1,400,000*l.* in hand. I am not sure if there were any other items: if there were, they were of a trifling character. I am not sure whether there was not a reduction on coffee; but it is immaterial for the present purpose whether the surplus left was 1,400,000*l.* or 1,200,000*l.* I now wish to draw a comparison between the proceedings of the author of that Motion, and the proceedings of the present Government. I have shown the strict views which the author of that Motion entertained of the financial duty of the Chancellor of the Exchequer. I have shown that he was not satisfied with the late Government, because they retained only 1,200,000*l.* or 1,400,000*l.* surplus when the Income tax was renewed for one year. How do we now stand? We now stand thus: The right hon. Gentleman the Chancellor of the Exchequer shows for the year—I proceed all along upon his own figures—for 1853-4, a surplus in all of 1,600,000*l.* that is, 1,300,000*l.* which he calls surplus, and 300,000*l.* which he saves in the Kafir war. Against that 1,600,000*l.* he charges 600,000*l.* which he lays on the

Estimates, and 100,000*l.* remission of the Light dues, making together 700,000*l.* That deducted from 1,600,000*l.* leaves a surplus of 900,000*l.* Where the late Chancellor of the Exchequer had a surplus of 1,400,000*l.*, the right hon. Gentleman has a surplus of only 900,000*l.*; and is he, who was not satisfied with his predecessor leaving only 1,400,000*l.* surplus, going to sacrifice any portion of that 900,000*l.*? Let us compare the taxes he proposes to impose and the taxes he is going to remit. I will take it on his own estimate, without questioning its correctness. He proposes to surrender for the year 1853-4, 1,000,000*l.* on the Malt tax—I confess I thought it a low estimate, but I will take it as he gives it—then he proposes to give up 400,000*l.* on tea. Against those sacrifices he imposes a new House tax, the amount of which will be 1,000,000*l.* annually. Only one half of that increase can be charged against the present year, being 500,000*l.* He is going to remit 1,400,000*l.*, and impose 500,000*l.*; therefore, he is going to part with his 900,000*l.*, the entire surplus which he professes to show. And yet the right hon. Gentleman himself is the man who made the Motion I have quoted. It was the right hon. Gentleman who laid down the principle that with the Income tax renewed only for one year, the Chancellor of the Exchequer was not justified in reducing the surplus even to so low a point as 1,200,000*l.* It is the right hon. Gentleman himself who, with the Income tax depending, refuses to take a vote on that tax, and insists on proceeding to consider the scheme of the Budget, which involves the surrendering of every farthing of the surplus he professes to show. Therefore, my protest, I humbly submit, is entirely supported both by the doctrines and practice, under happier circumstances, of the right hon. Gentleman himself. The hon. Baronet who has just sat down deprecates the many taunts and jeers directed against Gentlemen who have changed their opinions on the question of free trade. I confess, so far as the debates in the House are concerned, I had hoped that there had been a great absence of such taunts and jeers. All I can say for myself is, that, whether succesful or not, I have striven to avoid their use—and I am quite certain, if they have escaped from me, or any other person, they have escaped from inadvertence and human infirmity. But at the same time I must say there are circumstances, and especially the circumstances in which the Government appears to you to be going wrong, in which it is your duty to remind that Government of the principles which they themselves have laid down. I read the other day an amusing account, whether correctly reported or not I cannot say, of proceedings at a local election (Peterborough), at which one of the Candidates (Mr. Whalley) complained of the other Candidate, that he had resorted to an unworthy artifice in referring to his antecedents. It is from no desire to practise either a worthy or unworthy artifice, that in this single point I refer to the antecedents of the right hon. Gentleman the Chancellor of the Exchequer, but to point out that the doctrine, as I think a sound doctrine, which he propounded last year, and on which he felt so strongly that he felt it necessary to make it the subject of a Motion and a Division—the doctrine, that it is the duty of the House to secure the Ways and Means before it votes away any taxes—is the identical doctrine which I submitted to his acceptance on Monday last, and which I will not say he contumeliously but he certainly summarily rejected.

The CHANCELLOR OF THE EXCHEQUER: Sir, I do not think the address of the right hon. Gentleman the Member for the University of Oxford has a tendency to facilitate that progress of the public business which he says it is his object to promote. One would have supposed, from the observations of the right hon. Gentleman, that my hon. Friend the Member for Hertfordshire (Sir E. Bulwer Lytton) had originated a discussion which was an obstacle to that progress which I presume all desire. I am grateful to any circumstance that gave my hon. Friend the opportunity of making one of the most masterly speeches I have ever heard. Certainly no Gentleman in this House could have risen more legitimately than my hon. Friend. What has taken place? No sooner had the Motion been made by the Secretary of the Treasury that you, Sir, leave the chair, and we should go into Committee and proceed to business, than one of the most influential and distinguished Members of the Opposition, representing, I suppose, the united opinion of what I must term the somewhat discordant aggregation of sections of which it is composed—with that vivacious tone which distinguishes him, and with that energy of language which is always at his disposal, seemed to me, in opening the campaign, to indicate the line the opposing forces were going to take. Certainly I did imagine, when a person of so much influence was advanced as an organ of the party, that a trial of strength was about to be taken upon an issue which I, as representing the Government, exceedingly deprecate. The hon. Gentleman was supported by another hon. Member, the Member for Nottingham; and a county Member, also on that side of the House, made an excellent speech in vindication of the policy of the Government. Certainly, so far there was no inclination on our part to throw any obstacle in the progress of public business. Three Gentlemen opposite had spoken, and the debate was assuming the character of a debate on the general question—and I was extremely obliged to the hon. Gentleman the Member for Hertfordshire when he rose, as I think, under most legitimate circumstances, to answer an attack made, and to vindicate the policy of the Government, which is honoured by his approval; and I am sure the House will not regret any circumstance which led to that expression of opinion by my hon. Friend. The right hon. Gentleman the Member for the University of Oxford, rising, as I supposed, to recall the House to what would certainly be the more convenient course, enters into an argument, which, if I answer in detail, it will lead almost to a complete vindication of the policy of the Government, and certainly entirely prevent you, Sir, from leaving the chair. I must refrain from replying in detail to the right hon. Gentleman. The right hon. Gentleman has made one charge against me, that I have estimated a surplus which is a fictitious surplus, entirely produced by borrowed money now repaid. I do not think this is exactly the opportunity to go into minute detail on that subject. I can only say that it appears to me that the right hon. Gentleman is completely in ignorance of the facts. I shall be able to show the House, at the right time, that no other course could be taken than including it in my estimate as I have done. I shall show, to the satisfaction of the country that not one shilling of that money is borrowed money. I shall show the highest authority for the course I recommend. But I hope I shall be able, not merely to obtain that particular sum towards the estimate I have offered to the House, but that I shall also be able to obtain their support, by laying before them certain facts which will lead to a great and salutary change in the mode in which we keep the public accounts; and I am persuaded that when that case is fairly brought before the House, it will establish, to the satisfaction of a large majority that the course I propose is a legitimate and salutary course. The right hon. Gentleman is offended with me because I did not adopt his advice the other night as to the conduct of public business. No man has a greater respect for the right hon. Gentleman than myself; no man more appreciates his abilities; and I meant no disrespect to him that I did not, in conducting the business of the Government, adopt the course which he himself thinks the preferable one. The right hon. Gentleman alluded to the course I took with reference to the conduct of the Government when the income and property tax was only voted for one year. I think the circumstances of the case perfectly dissimilar. When I brought forward that Motion the income and property tax was referred to a Committee—it was under the investigation of a Committee—and it was extremely doubtful what would be the result; the impression rather was that the report of that Committee would be against the continuance of the property and income tax. Now, there is not a single person in this House, wherever he may sit, or whatever his opinions may be, who has the slightest moral doubt that a sum of money equal to that produced by the property and income tax will be produced this year by a law of the same kind. Whether the scale I propose, or the old scale, or the proposition of the hon. Member for Montrose shall be adopted, may be a question; but that a sum of five millions and more will be raised by a property and income tax, no man can have the slightest doubt. Well, then, the right hon. Gentleman says, I ought to take the course usually taken by the Chancellor of the Exchequer under the circumstances of bringing forward a financial statement. I want to know what parallel there is between the circumstances in which the present Government is placed, and the ordinary position of the Chancellor of the Exchequer in bringing forward his financial statement. Have we not been taunted from the beginning that we are avoiding bringing forward our measures? Have not the most vulgar insinuations—not heard, of course, in this House—been made, that we are clinging to office, if not to power, and evading that responsibility which attaches to every Government, of coming forward and indicating the policy which we recommend? The policy which we recommend is a distinct policy. I said on Friday last, that with a view to assimilate our financial system to the new commercial system now universally acknowledged and established, I had, on the part of the Government, to bring forward measures for the purpose; and now I am taunted, and told I ought to have followed the miserable routine—[*Cheers*]—the miserable routine of commonplace circumstances. I feel persuaded that the course I have taken is right. I feel persuaded that we ought not to avoid a free and frank encounter on the policy we recommend. I have endeavoured to place that policy, without reserve, before the House. Nothing is further from our desire than to shrink from the decision of the House; and I hope now, Sir, that you are about to leave the chair, that decision will soon be arrived at.

Mr. T. DUNCOMBE said, he wished to ask the right hon. Chancellor of the Exchequer one question. He understood on a former occasion that the right hon. Gentleman stated that Ministers intended to stand or fall by the proposition he then made. His (Mr. Duncombe's) objection, therefore, was that the House was to have the Budget, the whole Budget, and nothing but the Budget; and that, if so, they were not going into Committee for the purpose of amending this Budget, rejecting or adopting any particular item, but of swallowing it altogether. To that he objected. If the Chancellor of the Exchequer would state that he had been misunderstood, and that he meant to treat that as a deliberative assembly, and that they might alter and amend the Budget, it would be unreasonable and unjustifiable in him (Mr. Duncombe) to divide; but unless he had that assurance he should certainly take the sense of the House on the question of the Speaker leaving the chair.

Lord JOHN RUSSELL said, that he wished to state, as his hon. Friend (Mr. Duncombe) had intimated that he had doubts whether he should divide the House, that if he thought proper to divide, he (Lord J. Russell) could not take that course with him, but should be ready to go into Committee upon the propositions of the right hon. Gentleman the Chancellor of the Exchequer. He would only say, further, that he supposed the right hon. Gentleman would expect that when they went into Committee they should not merely discuss a single proposition that might be before them, but that he, having unfolded a plan on Friday last, and gone into the consideration of it for five hours, would be prepared to expect that the whole of his propositions should be discussed. They might then examine what was the state of the finances which the right hon. Gentleman found, and what would be the state of those finances supposing his propositions carried; in short, the whole case must be before the Committee. He (Lord J. Russell) certainly did not find fault with the right hon. Gentleman for having brought forward the plan which he thought for the benefit of the country; he would say that the right hon. Gentleman had certainly so far redeemed his pledge that he would lose no time in bringing forward his Budget, however much he (Lord J. Russell) might object to the greater part of that Budget.

Mr. BERNAL OSBORNE said, he hoped the right hon. Chancellor of the Exchequer would give an answer to the question of the hon. Member for Finsbury (Mr. Duncombe) because on the answer of the right hon. Gentleman would depend a considerable number of votes on that side of the House. He had no wish to divide with his hon. Friend the Member for Finsbury, if he was mistaken in his view with regard to what was said on a former occasion by the right hon. the Chancellor of the Exchequer; but he must say it was an insult to this House and to the country, if they were to be told— [Mr. Hudson: Hear, hear!] At such an early hour of the evening he would beg to inform the hon. Member for Sunderland (Mr. Hudson) that he had no excuse for the interruption he was causing. He was saying he thought it was an insult to this House and to the country, if they were told, that, unless every item of the Budget was accepted by the House there should be no Budget, and the Ministry would stand or fall by the Budget. Under such circumstances his hon. Friend could take no other course than to move an Amendment to going into Committee on such terms. He called on the right hon. Chancellor of the Exchequer to give a distinct answer to that question. If he refused to give an answer, he hoped the hon. Member for Finsbury would not withdraw his Motion. He hoped that there were a sufficient number of Gentlemen in the House to show by their votes the opinion which they entertained of Her Majesty's Government on this occasion.

Mr. HUDSON: Sir, having been personally alluded to by the hon. Member for Middlesex, I get up to answer the imputation he has cast upon me. I can understand the hon. Gentleman—and the hon. Gentleman or any other man ought to be ashamed of himself to make use of such language. I tell the hon. Gentleman that there is no man more ready to meet an imputation than myself; and tell him that I am ready to meet him here or elsewhere. I have now done with the hon. Gentleman. I am not unwilling to return any friendship the hon. Member may think fit to express, and I am sorry that he should have cast such an imputation upon me. [Mr. BERNAL OSBORNE: I accept your apology.] I trust the hon. Member will not again indulge in any such remarks as he has made to-night. I now wish to address myself to the main question, namely, whether this Motion should be withdrawn or not. I think that the hon. Member for Finsbury, having made it, is bound to divide upon it, and, for my part, I am quite ready to go to a division on the question.

MR. HUME was of opinion that the question to which the hon. Members for Finsbury and Middlesex were so anxious to obtain a reply, had been answered already. The right hon. Gentleman the Chancellor of the Exchequer had asked for a question on which to take a vote on the whole policy of the Government; but that vote would not bind each individual Member as to every item of the Budget. He apprehended that it was perfectly understood, on both sides of the House, that upon each and every one of the votes proposed by the Government, whether with respect to the house tax, the malt tax, or the tea duties, hon. Members were to have an opportunity in Committee of submitting any amendments they pleased. He trusted that, under these circumstances, his hon. Friends would perceive that the very best course that the House could pursue was to go, with as little delay as possible, into a Committee of Ways and Means.

The CHANCELLOR of the EXCHEQUER: I beg the House to believe that I have no desire to answer, otherwise than in the most satisfactory manner in my power, any questions that any hon. Member may think fit to put to me. I thought there was a most distinct understanding on all sides of the House as to the course to be pursued on this subject; and if I had any doubt as to the existence of such an understanding, it would have been dispelled by the remarks which have fallen this evening from the noble Lord the Member for London, who appeared to be quite as well aware of the true state of the case as any one could be at this side of the House. With respect to the statement I had the honour to make this day week, I am sensible that it may have been too long, but it was not longer than I felt it consistent with my duty towards the House and the country to make it; but when it was concluded, I had thought that it was perfectly well understood on all sides of the House that we were to go into Committee this evening, and that an opportunity was then to be afforded to all Members who might choose to accept it, of stating in what respects their own views might differ from those which I propounded on the part of the Government. The noble Lord the Member for London has expressed so well the feelings of the Government—and, indeed, I think I may add of the House—upon this subject, that I do not think it necessary to dwell upon it at any length. It did not occur to me that there was any necessity to answer the questions of the hon. Members for Finsbury and Middlesex—questions which seemed to me of a loose and inconclusive character, and having no especial reference to the rather vague and desultory statements with which they were prefaced. I certainly did not say that the Government were resolved to stand or fall by every vote in Committee of Ways and Means, for I should have considered such a declaration most arrogant and presumptuous; but what I did mean to convey was this: that the whole scheme of the Budget being founded upon certain principles, we should consider as fatal to the whole any vote that was actually subversive of those principles. I said that the whole project being based upon certain great principles, we must, as a matter of course, fall by any vote the effect of which would be to cause a departure from those principles. In the case, for instance, of the income and property tax, the whole policy recommended by the Government being founded upon the principle that a distinction should be recognised between precarious and realised incomes, any negation on the part of the House of that principle would, no doubt, be fatal to the whole scheme. But if this principle be preserved inviolate, other regulations respecting the income tax will be simply regarded as matters of detail, and as such will not involve the fate of the Government. So, again, with regard to the first vote—the extension of the house tax—is a principle of such importance that the Government are of opinion that it ought to be insisted upon. The details of the tax doubtlessly are also matters of importance; but it would be arrogant and presumptuous in me to declare that the Government are prepared to stand or fall by them. I trust that this explanation will be regarded as satisfactory.

MR. DUNCOMBE said, that after the explanation of the right hon. Gentleman, he did not think it necessary to press the Motion to a division.

The Motion, by leave, *withdrawn.*

Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

The CHANCELLOR OF THE EXCHEQUER moved the following Resolution:—

"That, from and after the 5th day of April, 1853, the Duties granted and made payable by the Act 14 & 15 *Vict.*, cap. 36, upon Inhabited Dwelling Houses in Great Britain, according to the annual value thereof, shall cease and determine, and in lieu thereof there shall be granted and made payable on all such Dwelling Houses the following Duties (that is to say)—

"For every Inhabited Dwelling House which with the household and other offices, yards, and gardens therewith occupied and charged, is or shall be worth the rent of 10*l.* or upwards by the year.

"Where any such Dwelling House shall be occupied by any person in trade who shall expose to sale and sell any goods, wares, or merchandise in any shop or warehouse, being part of the same Dwelling House, and in the front and on the ground or basement story thereof;

"And also where any such Dwelling House shall be occupied by any person who shall be duly licensed by the Laws in force to sell therein by retail beer, ale, wine, or other liquors, although the room or rooms thereof in which any such liquors shall be exposed to sale, sold, drunk, or consumed, shall not be such shop or warehouse as aforesaid;

"And also where any such Dwelling House shall be a farm-house occupied by a tenant or farm servant, and *bonâ fide* used for the purposes of husbandry only,

"There shall be charged for every twenty shillings of such annual value of any such Dwelling House, the sum of One Shilling.

"And where any such Dwelling House shall not be occupied and used for any such purpose and in manner aforesaid, there shall be charged for every Twenty Shillings of such annual value thereof, the sum of One Shilling and Sixpence."

MR. W. WILLIAMS said, he had bestowed great attention upon the whole scheme proposed by the right hon. Gentleman the Chancellor of the Exchequer, but he intended to confine his observations entirely to his proposal to increase the House Tax. When the right hon. Baronet the late Chancellor of the Exchequer (Sir C. Wood), brought forward his measure imposing the House Tax, he stated that he did so solely with the intention of raising the sum required to make good the deficiency occasioned by the repeal of the Window Duties; and he declared that he did not wish to obtain a single shilling more than was wanted for that purpose. Undoubtedly, by the repeal of the Window Tax a very large concession had been made to the public; but the proposition of the right hon. Chancellor of the Exchequer was in direct violation of the understanding that took place at the time, and which induced the House of Commons to assent to a House Tax in any shape. The effect of it would be to lay every working man, though he only occupied a single room, directly or indirectly, under contribution; and the tax would consequently inflict upon the labouring classes of London, and of most other large towns, the greatest possible injustice. The hon. Baronet opposite (Sir B. Lytton) had said that a tax upon houses was just and fair; but he (Mr. Williams) was directly of the opposite opinion. In the towns—and especially in the metropolis—almost every house would be liable; whereas in the country there would be whole districts in which scarcely a single dwelling would be rateable to the tax. ["Oh, oh!"] He would venture to assert that there were at least 20,000 persons in the constituency which he represented who would have to pay the increased duties, but who had not before been liable to the tax; whereas in the country there was not one farmer in ten who would come within the scope of the measure. Again, in the country the houses of gentlemen not being rated according to their cost were often treated with notorious partiality; mansions that had cost 50,000*l.* or 100,000*l.* to build, being frequently charged at only 150*l.* or 200*l.* a year. It was this which had formed one of the chief grievances of the old war Property Tax. Why, one of the richest noblemen in the country had once occupied one of the most splendid houses in the metropolis, and yet he was rated at very little more than the next house which had only two windows to each story. He (Mr. Williams) had attended on the previous night a very numerous meeting of his constituents, at which a very high authority in the parish of Lambeth stated that the imposition of the proposed House Tax would disfranchise 2,000 electors in that parish alone. It would embrace every house in the parish, and would lead to the wholesale disfranchisement of voters. Indeed it was his opinion that this tax had been proposed for the express purpose of disfranchisement. In the small country constituencies the disfranchisement of ten or twelve voters would make all the difference; and Gentlemen on the other side looked more after these things than those who belonged to the Opposition, and especially to the party with which he (Mr. Williams) was more immediately connected. They went about with tax collectors, and having discovered what voters were in arrear of their rates found means to pay them for them. He (Mr. Williams) did not object to the reduction of the duty upon malt, though he thought that the benefit both to the consumer and the barley grower had been very much overrated. He was also a strong advocate for the reduction of the duty upon tea, and for the abolition of the Light Dues; and, if the House adopted these reductions, they must of course provide some means of making up the deficiency; but he did object to any attempt to so by an increased House Tax. He would point out, however, to the right hon. Gentleman the Chancellor of the Exchequer other means for making up the deficiency. There was a tax which affected most oppressively one class of the community, but which, at the same time did not affect the rich, but which ought to be extended to them—he meant the Probate and Legacy Duties, which were at present levied upon personal property of every description, but from which all real property was exempt. If a man, by a long life of penury, should be able to leave 20*l*., though the very bed on which he died and the clothes he wore were valued to make up that sum, it must be taxed 10 per cent; but a person might leave a vast landed property—a property perhaps of 50,000*l*. or 100,000*l*. a year—and it would be entirely exempted from these duties. Was that fair or just? The present Probate and Legacy Duties produced 2,400,000*l*. a year; and if the right hon. Gentleman would extend them to real property, he would not only be doing equal justice to every class of the community, but he would have ample funds with which to carry out his contemplated reductions of taxation. There was, by-the-by, another impost, the removal of which was cryingly demanded, and that he ventured also to press upon the consideration of the right hon. Gentleman, namely, the duty on soap. To return, however, to the subject now before them, he trusted that the Committee would sanction the principle to which he had adverted, and that the right hon. Gentleman would reconsider his Budget, with a view to adopt his (Mr. Williams's) proposition, and so to put an end to a system so iniquitous as the present. With this view he begged to submit to the Committee the Resolution which he had put into the hands of the Chairman; and in conclusion, he wished to express his opinion that the greatest credit was due to the right hon. Gentleman for the announcement he had made relative to the payment into the Exchequer of all the public money, amounting to 6,000,000*l*. a year, which was now paid over, without the authority of this House, by the various departments that collected the taxes. He also thought that the greatest credit was due to the right hon. Gentleman for the announcement of his intention to review the whole of our public expenditure, with a view to a considerable reduction in the different public offices. He hoped that the right hon. Gentleman would remain in office long enough to carry out these important reforms; but he was sorry to say that he could not vote in favour of his scheme for extending the House Tax, because he looked upon that scheme as founded on injustice and inequality. If, however, the right hon. Gentleman would adopt his (Mr. Williams's) proposition, he thought he should have little difficulty in accepting the rest of the Budget; and he certainly much approved of the distinction which was proposed to be made in levying the tax upon fixed and uncertain incomes. He would now beg to move the Amendment of which he had given notice.

Motion made, and Question proposed—

"That in lieu of an increase of the Tax upon Houses proposed by the said Resolution, real property shall be made to pay the same Probate and Legacy Duties as are now payable on personal property."

Mr. HUME begged to ask how they were to come to a decision upon this subject? He would venture to submit to his hon. Friend (Mr. Williams) that his Amendment did not meet the object for which the question had been brought forward. The point they had to decide was, whether they were disposed to accept the Budget, and give the Ministers time to carry it out; or whether they should, *in limine*, reject it altogether, and tell them to go about their business? The Amendment, therefore, could lead to nothing; and he submitted to his hon. Friend that he had better wait until the Government should bring in their Bill altering the tax. That would be at least an intelligible course.

Mr. W. WILLIAMS said, that the Motion he was proposing could not be brought forward as an Amendment on such a Bill as that to which the hon. Member for Montrose had alluded. He was supported by a high authority in the opinion that this was the best and most just means of bringing the question forward.

Sir ROBERT H. INGLIS said, he wished to make an observation on what had fallen from the two Arcadians opposite. He agreed with the hon. Member for Montrose (Mr. Hume) that the proper time for raising the question, which the junior Arcadian (Mr. Williams) had introduced was when a Bill was brought forward. Strange to say, he agreed with that hon. Member in his concluding observations: he felt that an appeal ought to be made to the right hon. Gentleman the Chancellor of the Exchequer to reconsider the exemptions that were previously in force, and some of which he proposed by this measure to continue. He could very well understand a system of taxation which excluded all exemptions whatever, and touched the labourer at 12*s.* a week equally as the man of an independent income. That was intelligible. But, if exemptions were introduced at all, he contended—whatever might be the point at which they fixed the limit, whether it were 100*l.* or 150*l.*—that limit ought to be observed in all incomes, whether in the case of the income below the limit, which was therefore exempted altogether, or in the case of an income above the limit, which ought to be taxed only on the amount of the excess. If they felt that a man with 150*l.* a year ought to be exempt from the Income Tax, they ought to exempt all small incomes to that extent. For instance, if a man was in the receipt of 160*l.* a year, they ought to exempt the original 150*l.* upon which the assessment had hitherto been made, and only charge him for 10*l.* The same should be done with incomes of 300*l.* or 500*l.*, and up to 1,000*l.*, at which the whole income might be taxed. If it were fitting to exempt a party who only received 150*l.*, they ought in consistence to extend the boon, and grant it to those who had an income of 150*l.*, plus 10*l.* The case was peculiarly hard at present on those who had about 151*l.* They were a great deal worse off than those who had only 150*l.* To Members of that House it might be a matter of no consequence whether they paid 4*l.* 7*s.* 6*d.* a year more or less, but to their poorer fellow-countrymen it made all the difference between comfort and necessity. In their behalf he contended that if an Income tax were founded upon exemptions at all, it ought to be done upon a different principle. Then there was the case of those of a particular profession. The right hon. Chancellor of the Exchequer suggested the relief to all clergymen having 100*l.* a year; and he hoped this would not be objected to by any one. But he had been surprised to hear it calculated by a former Lord of the Treasury that the loss of 30,000*l.* thus caused represented a capital of 4,000,000*l.* He (Sir R. H. Inglis) denied this, and doubted the capacity of one who could make such a calculation to fill the office of Lord of the Treasury. He hoped that not only the incomes, but the houses, of this class of the clergy would be exempted. They were compelled, whatever their privations, to maintain the external appearance of gentlemen; and their exemption or non-exemption would make all the difference between comfort and penury. He implored the right hon. Gentleman the Chancellor of the Exchequer, if he continued the system of exemptions, to make the assessment over and above the amount of exemption, and also to exempt the clergy of 100*l.* a year from the operation of the House Tax.

Mr. BRIGHT said, he concurred entirely with the hon. Member for Lambeth (Mr. W. Williams) in regard to the tax he suggested as a substitute, provided one was necessary; it would be very much better than the Chancellor of the Exchequer's proposition, and very much more just to the country. But he did not think it advisable that that proposition should be interjected at that moment, when the House was about to consider a distinct proposition made by the Government. As a Resolution with regard to the House tax was now before the Committee, it would be much better to vote "aye" or "no" to that proposition. He did not himself see the necessity for any new tax at all. When there was such necessity, he thought a tax upon successions applying generally to all property, would be the tax that that House ought to agree to; and till that was agreed to, he did not mean to give a vote in favour of any new tax whatever. He begged to suggest to the hon. Member for Lambeth, whether it would not best serve the discussion of the important question now before them not to have the simple proposition of the Government covered over, so that the Committee might know what it was voting about. Such a course would best serve the purposes of the Government, of the House, and of the country.

Mr. HUDSON said, that the hon. Member for Manchester (Mr. Bright) had asked the hon. Member for Lambeth (Mr. W. Williams) to withdraw his Amendment, on the ground that no new tax was wanted. But the hon. Member for Lambeth would be under this difficulty, that he had admitted his entire approval of the Budget, and allowed that a new tax was required. Under these circumstances he (Mr. Hudson) could not see how the Amendment could be withdrawn. Having presented a petition from his constituents against the increase of the House tax, he wished to make a few observations explanatory of his reasons for disagreeing with the prayer of that petition, and intending to support the increase of the tax. Already he thought his constituents were under much obligation to the Government, for their removal from the shipping interest of all those impositions and causes of complaints which that interest had so grievously laboured under. That interest had had justice done to them, and no more than justice. But even that they had sought unsuccessfully for years, and whatever Government was at the head of affairs, he had assisted them. From this Government they had obtained it, and in the removal of their grievances, and so far as that part of the Budget went, his constituents were under very great obligations to the present Government. If, then, they were to have added to this the benefits of cheap tea and cheap beer, they could scarcely complain if they suffered a little in some other way, especially when the loss was so disproportionate to the gain. When he looked at the result of the right hon. Chancellor of the Exchequer's operations, he found a reduction of 3,000,000*l.* of taxation, and an imposition of 1,000,000*l.*, therefore, as a part of the community, his (Mr. Hudson's) constituents must derive great advantage from the Budget. Taking first the reduction of the Tea duties, if it, while extending the comforts of the poor, extended also our commercial relations, he was satisfied that it was a wise measure, and only regretted that instead of having to carry the reduction over six years, they were not able to carry it out immediately. As regarded the reduction of the Malt Tax, he believed it would have a most beneficial effect on the agriculturist as well as upon the comforts and enjoyments of the poor. He was one of those who thought the total abolition of the Malt Tax most desirable, but it was apparently, for the present, impossible. However, he believed the abandonment of one half of it must lead in no short time to the abolition of the other. He was satisfied that eventually the whole of that tax must be done away with. As regarded the Budget generally, he was satisfied, from his connexion with numerous parties, that it was acceptable to the country. He was satisfied that the real opinion of the hon. Member for Lambeth, had he appeared there as the representative of an agricultural instead of a town constituency, would have been in favour of accepting the whole Budget; for himself, even if it should be offensive to his constituents, he was perfectly ready to give his support to the increase of the House tax. The right hon. Member for the University of Oxford (Mr. Gladstone), whose opinions must always have considerable weight with the House and the country, said that they had no right to make a difference between incomes derived from real property and from precarious sources. But if the right hon. Gentleman had proved anything he had proved too much, for it went to the extent of showing that they could not tax funded property at all. To put a tax on funded property, whenever the necessities of the country required it, had been the custom ever since that kind of property existed. But he would ask the right hon. Gentleman was there no difference between real property and fluctuating, or precarious incomes; was there no difference between the case of a gentleman obtaining his 500*l.* a year from real property, and that of another gentleman earning the same sum by his own talents? Was there any one could say that a person receiving his income had the same objection to pay for the public maintenance as the individuals who had a fixed and ascertained real property? Everybody out of the House would thank the right hon. Gentleman the Chancellor of the Exchequer for the bold manner in which he had acted; and he (Mr. Hudson), for one, rejoiced that the right hon. Gentleman had not been bound down and fettered by the precedents of former times, but had taken a course which he (Mr. Hudson) believed consonant with good faith, and beneficial to the country at large.

The right hon. Gentleman the Member for the University of Oxford had stated that the Ways and Means would not be equal to the expenditure of the country. On the 5th of October last, there was a surplus of 2,000,000*l.* He did not think that surplus would be diminished on the 5th of January next. Any person who knew the resources of the country, must be fully aware that the revenue of the country must largely increase, and that there would not only be a surplus, but a very large surplus, if the financial arrangements of the Chancellor of the Exchequer were, as he hoped they would be, fully carried out. The noble Lord the Member for the City of London (Lord J. Russell) had stated, to his (Mr. Hudson's) great surprise, that considerable alarm existed in the public mind with regard to this Budget. But he, who mixed very much with commercial men, and knew well the state of commercial feeling—perhaps there was no man whose transactions were of equal magnitude—could assure the Committee that the Budget had created no alarm either in his mind or in that of gentlemen in the commercial world much more able to judge than he. On the contrary, it had created a strong sense of obligation in the public; it had caused a rise in all the public securities. There could be no better test than this, that when the Budget was announced the funds rose. The poor were to have cheaper tea and cheaper beer; the trading classes were to have cheaper tea and cheaper beer, and to be relieved of part of the Income tax. He was sorry that these reductions necessitated an increased House tax, but it was to be remembered that this increase affected not the poor alone, but those who lived in large houses. He should pay nearly double by it. He should have to pay 56*l.* instead of 28*l.* He was glad that the hon. Member for Westminster (Sir J. Shelley) had withdrawn his Motion; he could assure the hon. Baronet that what the country, which was looking on with contempt at the proceedings in that House, really wanted, was decision, and if a decision could be obtained that night it would be a great benefit. It would be a great boon if they could decide at once without an altercation. The Budget conferred great benefit on the poor, and the whole country; and he believed he stated the feelings of eight or even ten out of twelve commercial men, when he said that the commercial advantages of the right hon. Gentleman's course of policy it was impossible to overrate. He thought the hon. Member for Lambeth quite right, and trusted that the remarks of the hon. Member for Manchester would not drive him from his purpose.

Mr. W. WILLIAMS said, he would beg leave to withdraw his Amendment. As many hon. Members near him shared in the feeling of the hon. Member for Manchester (Mr. Bright), that a distinct vote should be taken on the House tax, unencumbered by any other Motion, and as he should be very sorry to risk the loss of one vote against that tax; he would consent to the appeal which had been made to him, and withdraw his Motion, but he would take the earliest opportunity of submitting it again to the House.

Amendment, by leave, *withdrawn.*

Mr. PHINN said, he would not have ventured to present himself to the House thus early in his career as one of its Members, because he knew that on financial topics and on questions of such magnitude professional men were rarely listened to, and that they were expected to confine themselves to subjects in more immediate connexion with their own pursuits; but that, representing a large and important constituency, who had thought fit to confide their interests to a lawyer, he felt it his duty to disregard all those feelings and inclinations of his own which would have induced him to postpone addressing the House, and to represent the views and wishes of those who had sent him to Parliament on that important and most momentous question. The great controversy of free trade having been settled by the late election, it had been his wish to give Her Majesty's Government the fullest support in any measure they might propose to carry out the policy they had adopted, and to give them the most ample consideration for the position in which they were placed; and it was in no factious spirit, and with no party object, that he rose now, feeling it necessary that he should do so, to offer his most determined opposition to the plan submitted to the judgment of the Committee. His reasons for that opposition were twofold. He felt that the House tax was not called for by the exigencies of the country, and that it would inflict on the people twofold evils. First, it would affect them financially most unfairly and unjustly; and, secondly, their political existence was involved in this proposition, because they felt it was a measure of disfranchisement to a great body of those who had hitherto been admitted to have a voice in the country. Whatever censure might be cast on the 10*l.* householders, he had never found them backward in sharing their fair proportion of taxation. He had never heard from them any murmurs, except against extravagant and excessive expenditure; and those who represented the new constituencies created under the Reform Act had always given Government a willing aid in providing for the exigencies of the State. Therefore he said their voice was entitled to be heard on that most momentous occasion; and therefore he would dwell on that view of the question alone, were it not mixed up with other considerations, and were it not that the plan of the Government on this point was so united with other portions of their proposition, that it was necessary to view it not merely as an abstract tax, but in relation to the other subjects which had been introduced by the right hon. Gentleman the Chancellor of the Exchequer to the House the other night. They were entitled to ask—was that new tax rendered necessary by any public or political exigency? Were we carrying on any extensive war? Was there a deficiency in the Exchequer? He apprehended no such exigency existed. It was, in fact, a mere question of shifting the burden of taxation. It was a question whether one class was to be relieved, and another was to be burdened—whether the poor, who were struggling, were to have added to their struggles a new burden of taxation, while those who were comparatively well off were to be relieved of their fair share of those burdens. When Parliament assembled to hear what Her Majesty's Government had to propose on financial questions, he expected from the election speeches and the trumpeting of the Government organs that there would have been at least an attempt to lay down some plain and intelligible principle on which our future taxation was hereafter to be conducted. They had been told in various quarters, and from high authority, that the Government had a secret which would reconcile party feeling and compose all party jealousies—which, without pressing on one class more than on another, would raise what was necessary for the State with the applause and approbation of all. He had thought that the right hon. Chancellor of the Exchequer, during his researches in financial science, might have discovered some secret which had baffled the genius of Pitt, and had eluded the grasp of Peel; but he found no such principle enunciated. He had waited for, but had not heard, the solution of the problem—in what proportion, if you had a system of direct and a system of indirect taxation combined, they were respectively to be imposed; how far, if you had the two systems together, you were to let the application of the one be such as to lighten the rigours of the other. A more important question in the whole range of political science than that of the exact proportion in which one system was to be applied rigorously, and in which the other was to be applied moderately, did not exist; but that question had not been decided by Her Majesty's Government. Another question which he had hoped to hear solved was whether, in reducing taxation, you should reduce the duties of Excise or the duties of Customs. Considering the importance of Excise restrictions—those impediments in the way of producer and consumer—the domiciliary visits, the minute details of the system so distasteful to Englishmen, he thought they would have had some solution of the difficulties of that system; but he had been disappointed. The great fault of the Budget was, that it laid down no new and intelligible principle of commercial policy, but left that great question still untouched and unsolved, and that there was no guiding principle to rule its details. Much of the right hon. Gentleman's statement, indeed, he was disposed to agree with, because it set forth the views of those on his (Mr. Phinn's) side of the House, who had always contended that there was no class with just grounds of complainst against recent legislation, and that those clients of the Chancellor of the Exchequer whose combined action had lifted him into power, and who had been told at various country dinners that the agricultural interest and the West India interest had great grievances which he would redress, though he now told them all their statements were fallacious, would be deceived by the right hon. Gentleman when he came into power. They were quite right, and they now saw the right hon. Gentleman who spoke of those inequalities and grievances telling his followers that they could not have any further protection, and that they must trust to themselves. That was the doctrine they on his (Mr. Phinn's) side of the House had always contended for in opposition to the right hon. Gentleman. Concurring with the right hon. Gentleman in the propriety of making a distinction between income derived from the land and from individual exertion, and of putting a proportionate tax on each, he could not agree with him in the propriety of taking off the Malt tax, which was, however, the pivot on which his whole Budget turned. He proposed to reduce the tax one-half; but he would still leave all the same restrictions and the same control over the farmer as before; and, while he diminished the revenue considerably, he would leave all the evils of collecting the tax untouched. The expenses of collecting the Malt tax were now 6 per cent; if the tax were reduced one-half, the expenses of collection would be 12 per cent. If they professed to take off the tax in the interest of the consumer, it was a great mistake; the fact was, that the reduction would not benefit the consumer one halfpenny, or probably one farthing, in his pot of beer, and that the profit would go into the pockets of the great maltsters, brewers, and publicans, and not to the labouring classes. In return for the deduction of the duty on tea, they were to have a reversal of the policy which Sir Robert Peel, not for the first time, had proclaimed, that in apportioning the contributions of the various classes to the taxes, you must exempt, first, the mere labourer; secondly, those struggling to maintain a decent appearance in the world on slender incomes; and, thirdly, those who had realised by great exertions some small modicum of money, regarding it as a subsistence whereon to retire in their old age. But that principle was entirely violated in the Budget, and these classes were attacked in more ways than one, because, while the people were called on to pay an Income Tax on the profits of trades and professions reduced to a lower rate than before, they were at the same time subjected to an increased House tax, so that a person with 145*l.* a year, living in a house of 16*l.* a year, would have to pay an Income tax from which he had hitherto been free, and then have to meet a House tax from which he had been also exempted hitherto. He was willing to admit, if any overwhelming necessity could be shown for that increase, and if Government could not have gone on without it, that it would be the duty of the people to submit to it; but with a rising Exchequer, and with a large surplus, it was too much to call on these struggling classes to consent to the imposition of fresh burdens. It must be remembered that the House tax was only an Income tax in another shape. The worst of the tax was that it did not compass the end proposed, and it was imposed as if the expenditure of income on a man's house bore in all cases a material proportion to his whole income. But let them take the case of a man with 10,000*l.* a year. He lived probably in a house of 500*l.* a year, and would not pay more than 5 per cent, while in the case of a man of 1,000*l.* a year, who probably would live in a house of 100*l.* a year, taking the average of England, the tax would come to 10 per cent; and when they came to a man of 150*l.* a year, they would find that he paid 15 or 18 per cent for his house. Therefore the House tax, brought down so low and not graduated, was an unjust and unequal Income tax. And now he approached a part of the subject on which his constituents felt most deeply, and to which he would address a very few words. He had already told the Committee they looked on this proposition as a disfranchising Bill, and he would now state their reasons. There were, he believed, about 90,000 voters on the registries in England, and, as far as they could be ascertained, about 320,000 of them lived in houses of between 10*l.* and 15*l.* a year. He asked any hon. Gentleman acquainted with the operation of taxation in towns how far the consideration of paying 15*s.* a year more would operate on a man in reducing his rent? They would find that the tenants would constantly apply to the landlord, and say, "Reduce your rent to 9*l.* 18*s.*, and I will keep on, for 15*s.* a year will be a great gain to me." Well, then, when the revision took place, the first question of the revising barrister would be to each man, "Do you pay the House tax?" and, if the answer were in the negative, it would be considered conclusive against his right to be on the registry; and no doubt it was so intended. It was but the day before yesterday that the Government had successfully resisted a moderate proposition to alleviate the pressure of the assessed taxes on the voter, and now they introduced a proposition which would press on the voter still more. He repudiated this principle as unjust and unfair from beginning to end, and so long as they retained it the advocates of extended franchise would use it against them. The measure of the Government appeared to him to be conceived in a double sense. They had been told the functions of the Government were twofold—first, to settle our financial policy; secondly, to restrain the progress of democracy. He believed they had combined those two objects in the present measure, and that they had endeavoured to disqualify for the suffrage those most opposed to them, and who constituted the strength of the adverse benches; for in proportion as they affected the 10*l.* householders, to that extent would the forces of the Opposition be diminished. On that ground alone those in favour of extended suffrage would found an argument against the measures of the Government, and there would be a renewed agitation got up by the disfranchised householders, which might be fatal to the institutions of the country, and for which they would have to thank a Conservative Government. He felt he had trespassed far more on their patience than his position in the House entitled him to do, but he would not have discharged his duty to his constituents if he had not taken that opportunity of laying before the Committee their views and wishes with regard to the great question they were then discussing.

Mr. E. BALL said, he could not, like the hon. and learned Member who had just sat down, apologise to the Committee for addressing them as a new Member, for he thought if there was one Member entitled to greater consideration than another it was the youngest and most recently elected. He had listened to the hon. and learned Member with dissatisfaction—not because he was a young Member, but—because, as a professional man, he had not justified the conclusions at which he had arrived in the course of his address by any fair reasoning. He stated there would be a disfranchisement of the 10*l.* householders, but at the same time he declared they were always most willing to bear taxation. If they were willing contributors to the exigencies of the country, how was it possible they could be disfranchised by being called on to pay a fair proportion of the taxation of their fellow-subjects? Why should they seek to be exempted from that which all other classes had to pay, and which had always been considered as connected with representation, namely, a share in the general burdens? He had been exceedingly pleased with the observations of the hon. Member for Nottingham (Mr. Walter), who, with fearless integrity, declared his belief that if the measures of Government were requisite, he would not regard any clamour that might be raised against them; and he believed there would be no clamour at all. He maintained that they must regard the present system as a part of the whole system now produced; and if hon. Gentlemen opposite could bring forward objections to the taxation of houses, he (Mr. Ball), and those who sat on that side of the House, could bring forward objections to other parts of the right hon. Chancellor of the Exchequer's proposition. Hon. Gentlemen opposite dwelt on the reduction of the Malt tax as if it was entirely a benefit to the farmer. But was it no advantage to the beer drinker and consumer? Would the occupiers of houses in great towns gain no advantage from it? It had been suggested that the brewer would reap, in a great measure, the result of the remission upon the Malt tax; but the monopoly of the brewer was strong enough already, and the consequence would be, therefore, that if any attempt were made to extend that monopoly, the public would rise up and demand an alteration in the whole system of brewing. As an occupier of land, he would much rather have had, and he thought they ought to have had, not only a remission of one-half, but the entire abolition of the Malt tax. This would have been a double advantage; we should have had beer considerably cheaper, and all the expenses of raising the Malt tax would have been done away with. But, as the proposal now stood, it must be remembered that while the agriculturists reaped some benefit from the contemplated remission, they would also experience some disadvantages. At present no foreign malt could come into the country; but now the foreigner was to have the privilege of introducing malt, which would be an advantage to the consumer of beer, and a disadvantage to the grower of barley. They were now, too, under restrictions in making malt, and were subject to very great inconvenience from those restrictions. The foreigner, however, would have none of these, for he would make his malt as he pleased, and without the scrutiny of the supervisor and exciseman. Again, the maltster was subjected to very great disadvantages which the foreign maltster did not labour under. Perhaps many hon. Members were not aware of the very exorbitant security which all maltsters were called upon to give—a security not only for the actual amount of malt made by them, but for double that amount; and one gentleman largely engaged in the trade had told him that he had been obliged to find two bondsmen for the amount of 50,000*l.* All this, of course, would not attach to the foreign producer of malt, who would be enabled to bring his commodity into the English market under very advantageous circumstances, and the competition which would thus arise would be another benefit to the beer consumer. Altogether, the proposed remission, while it would be, he would not deny, of some advantage to the agriculturists, would be of much more advantage to the consumers of beer. With respect to another item in the financial scheme of the Government, the disappointment of the agriculturists was greater than that felt by them with regard to the Malt tax. They had always been led to suppose they should have very great relief afforded to them in the Highway, County, and Poor Rates. All of them looked for some relief from that quarter. They did not, it was true, know how it was to come, but they thought everybody was to pay a less amount of taxation in this shape. They did believe there was a power especially communicated to the Chancellor of the Exchequer; they did not suppose him to be an alchymist at whose touch everything would turn to gold, but thy believed him to have a power surpassing that of all other men, and that by the exercise of a magician's wand he could give the agriculturist great relief. When, therefore, hon. Gentlemen opposite came forward to complain of a certain part of the financial scheme which touched their constituents, it must be remembered that the representatives of the landed interest had greater cause to complain that it was not a boon to them, but just as much a boon also to other interests represented in that House. Well, then, how did the party with whom he was connected propose to act? Did they propose to come forward and say they would oppose the scheme because it was not a positive benefit to themselves? No! He would not advise his constituents to do so; he would not come forward in a party spirit, and say the Government ought to have done more for them; but he would say this, that it was his firm belief, looking to the whole of the measures proposed, that the right hon. Chancellor of the Exchequer had laid before the House such a scheme as ought to have been concocted by a man who considered himself not a Minister of a party but a Minister of his country and of the community at large. He (Mr. Ball) was bound also to state that he did think it was a fair proposal to all the various sections and classes in this country, and that there was not one part of the community which could say that they had been touched, and that any other class had been left untouched; but the Chancellor of the Exchequer, with equal justice and great fairness, had so framed his Budget that it bestowed upon all classes greater benefit than inconvenience; he should, therefore, most willingly give his vote to the passing of the whole scheme. He was prepared to take it as a whole, and as the best which, under the circumstances, he could get. ["Hear, hear!"] He granted that he expected more; he granted too, that he wished for more. He had come into that House as an advocate of protection, but he soon saw he could not obtain that, and he was prepared, therefore, to abide by the decision of the majority. If the population of this country were to turn round, perceive the errors into which they were led, and demand the restoration of protection, he should be very glad to see the House once more revert to that principle; but so long as the opinion of the country remained what it was, he considered the question of protection was terminated. And now, what did he ask them to do? They had annihilated protection; now let the country have entire free trade. Let them abolish the duties on all manufactured articles—from metal, which now paid an import duty of 10 per cent; let the duty on soap be struck off, and let entire free trade prevail. He had given over protection; he meant now to be an honest Freetrader. He meant now to ask hon. Gentleman opposite to stick to their text—not to be partial in their sympathies—to deal with their own friends as they had dealt with the agriculturists. And what he should have liked to have seen, what he should have thought more just, and more equal, and what would have been more acceptable to all classes, was, that everything should have been made free, and then an *ad valorem* duty placed upon every article. The announcement of the Chancellor of the Exchequer with regard to the boon proposed to the sugar trade, had been followed up the other night by a statement made by the hon. Member for Westbury (Mr. Wilson), who declared that our West India Colonies were in a very flourishing state, and exported more sugar than before. Now, if there was one subject which he (Mr. Ball) felt more confidence upon than another, it was his conviction of the want and misery which rested upon these Colonies generally, and upon Jamaica more particularly. That island was described to him by missionaries of every sect who had returned from it as a perfect wreck and ruin. This very summer he met with a member of the Church of England, a man of very high standing, who had been ten years in Jamaica, and who stated that he could not give representation to any distress and suffering which was not equalled and surpassed by the state of things there. His informant added that the measures of 1846 had entirely desolated that beautiful island; that they had had schools, and churches, and chapels, but that half of them were closed, and multitudes of the poor blacks who had been taught in those schools, and who had assembled in those places of worship, had now gone back to heathenism. And yet he was to be told, as compensation for all this, that the quantity of sugar exported from Jamaica was equal to what it ever was before! Was this test of increased production always to be taken as the criterion of prosperity? The question had suggested itself to him, on hearing this argument, whether we had any example in sacred or profane history where a people had increased their tally in spite of their burdens, and he had remembered the burdens imposed upon the Israelites, and their result. He was not quite sure but that greater production was an evidence rather of the higher degree to which the powers of the people were tasked, than of prosperity. He must apologise to the Committee for the length to which his remarks had extended; but, connected as he had been with the National Association in all its ramifications, he had felt that he should not be performing his duty, if he did not state the conclusion at which he had arrived with respect to the financial scheme of the Government. That scheme, he repeated, he was willing to take as a whole; but, believing that the consumption in tea and malt would be so much increased that the revenue would not suffer to the extent of the half duties which were proposed to be remitted, he hoped the right hon. Chancellor of the Exchequer would be enabled in the course of a short time to take off the other half of the Malt tax.

MR. MONCKTON MILNES said, he was sure that hon. Gentlemen on that side of the House would receive with great pleasure the adhesion of the hon. Gentleman who had just sat down, and would gladly receive him into their ranks as an honest Freetrader for ever. With respect to the subject before the Committee, he believed they were perfectly right in considering the Budget as a whole, because, if it were separated into its different parts, they would be so unreasonable as scarcely to be able to come under the discussion of the Committee. The Income tax, however, did seem to him to stand somewhat separated from the rest of the Budget. Parliament had determined that the system of continuing the Income tax for a limited period should not be disturbed, and he was prepared to enter into the consideration of that part of the subject, in order to come to a decision satisfactory to the country. The question before the Committee on the present occasion was the combination of the repeal of the Malt duties and the increase of the House tax, because, he believed, if these two questions were fairly out of the way, they might come to the consideration of the other parts of the Budget, without any difficulty whatever. With respect to the reduction of the Tea duty, the sacrifice of revenue would be so small as to require no extension of the House tax, and therefore he considered that question to a certain degree out of the range of consideration. Hon. Gentlemen opposite had expressed their desire to set the question of the repeal of the Corn Laws at rest for ever; but he believed they would be entirely deceived, and that they could not have taken a more effectual means to re-open the question of agitation between town and country than by the production of the present Budget. The class which they would provoke to action in the towns by this tax was the class which was most active in the repeal of the Corn Laws—which believed that it carried that repeal—and which would, therefore, regard the imposition of this tax as an act of revenge on the part of hon. Gentlemen opposite. That could not but be the feeling of a man who would be called upon to pay four times a year two separate taxes from which he had hitherto been exempt. He knew very well that that was a consideration which would never present itself to a Government framing a financial proposition; but he was certain that in that light it would be regarded by many persons throughout the country. He really must say that in his opinion the measures of the Government imposed upon those who belonged to the landed interest of the country a restraint rather than a substantial advantage. It struck him that the case of the consumers had been dragged into the discussion in a very subsidiary manner; for of course it was beyond a doubt that the consuming classes were always advantaged more or less by every reduction of taxation. The question, however, which the Committee had to consider was, whether the advantage derived by the consumer was commensurate with the great sacrifice of revenue which the Chancellor of the Exchequer had proposed. In the case of the repeal of the Corn Laws, the voice of the country had fully declared that the benefit conferred thereby on the consumer entirely compensated for any sacrifice which had been made. That point was certainly at one time a matter of controversy, but happily it was now no longer so. If, indeed, hon. Gentlemen were to argue that every advantage derived by the consumer was commensurate with any disadvantage that might at the same time accrue to the country, it would be to force a conclusion utterly untenable. As regarded the repeal of the Malt tax, he, for one, must say that he was very far from regarding it with favour. Even supposing that its effect was to cheapen beer, it should be borne in mind that a very large portion of the people were totally unaccustomed, upon conscientious grounds, to the use of fermented liquors. Indeed, the article of beer was already so cheap that it had been brought into a very general consumption; and, in his opinion, the reduction of the Malt duties would only have the effect of enabling those who already consumed that article to partake more largely of it, rather than increase the number of those who drank it. And this, he must say, he did not deem a very desirable object, for the Committee was well aware of the great misery already caused in large towns by the very large consumption of that beverage. The Government had no right to hold that beer was an article of primary necessity, in the same way that that term had been applied to the use of tea, coffee, or bread. It appeared to him (Mr. Milnes) that a very grave question was involved in the discussion they were then engaged in—a question, the importance of which might be felt for years to come upon the destinies of this country—it was the question of the comparative merits of direct and indirect taxation, a subject which had long occupied the ablest minds of the community. He himself could remember when the advocates of direct taxation formed, as it were, a special sect in the country, and when these gentlemen were regarded as mere speculative theorists by all practical politicians. Indeed, it was once argued that, in having recourse to direct taxation, the Legislature were receding in the march of civilisation; and Turkey—a country where direct taxation is in the fullest force—was cited in support of this view. On the other hand, it was considered by the earlier political economists that by means of indirect taxation a large amount of revenue might be collected almost without the ratepayers being cognisant of the amount they paid. But there were those, too, who believed that indirect taxation naturally favoured a system of protective duties. And therefore it was that when that system was abrogated by the tariff of the late Sir Robert Peel, the Income tax was imposed. He was quite sure that, no matter whether it be in the shape of an Income tax, or a House tax, the people of this country were fully prepared to submit willingly to taxation; but, then, they must not be called upon to pay more than their just proportion of it; and the question for decision that night was, what proportion ought they to pay? Her Majesty's Government were prepared to impose upon the country a system of direct taxation, but they should be most careful as to how far they would extend it. They had in their hands a most delicate instrument, which, if used harshly, wrongfully, or violently, would be anything but useful to them. So far as Parliament had as yet proceeded, they had only imposed direct taxation upon those backs very well able to bear it. But if the doctrine which had been propounded by his right hon. Friend the Chancellor of the Exchequer in his Budgets of this and last year—a doctrine which, he was sorry to say, met with a very large acceptance in that House—namely, that direct taxation was something akin to confiscation—was to be generally received, he, for one, must say that the system of direct taxation would be carried to a point at which the people of England would resist it altogether. To him it was a matter beyond all question that every system of direct taxation must admit of exemptions; and, subject to these, he was quite ready to see it enacted. For the Government might depend upon it that, otherwise, the difficulty of collecting taxation would be so great that the anticipated revenue would never be forthcoming. It was now proposed to impose upon the 10*l.* constituencies a double duty. Now was such an imposition required by the circumstances of the country? No case of deficit had been made out to require this enormous addition to the taxation of the country, and he believed the constituencies generally would resist the proposals of the right hon. Gentleman. Hon. Gentlemen might depend upon it that the constituencies of the country would be very imperative in their demands to know the reasons for such legislation. They would be called upon to show how by such measures the springs of industry were to be set free, or the popular wealth augmented—to prove what advantage was conferred upon the people in return for the ill-accepted compensation to the landed interest. The question of the Tea duties depended upon an entirely different principle. The remission proposed by the Chancellor of the Exchequer seemed to him to be a reasonable and prudent one, and one which he (Mr. Milnes) would have supported most heartily, coming from whatever Government it might. To the question of the Income tax, he was ready to give his most earnest consideration; and on this point he was willing to recognise the distinction which had been made by the right hon. Gentleman between fixed incomes and incomes derived from trades and professions, and to accept what the common sense of the country had declared to be rightful, and which he believed to be a very sound and tenable principle of taxation. He believed that a very great deal of difficulty would be got over if hon. Gentlemen would but make up their minds as to the proper principles upon which taxation ought to be levied. The main point, however, upon which he approved of the distinction made by the right hon. Chancellor of the Exchequer, was, that thereby a man's expenditure rather than his income would be taken into consideration. He should have been very glad if they had been enabled to approach the discussion of to-night without seeing it demeaned by the introduction of party questions and party politics. He did not mean to say that the Budget ought to be, as it were, a riddle at which a Chancellor of the Exchequer should be permitted to have so many guesses, a view which seemed to have been taken of it on some former occasions; but, still, he believed that it was impossible for a finance Minister in this country fully to understand what would be the effect of any proposal until it was submitted to the consideration of the public; and he was convinced that any Minister that ignored public opinion would fail in his duty as a constitutional Minister. Nevertheless, he must prepare the Government for the storm which would yet be excited in the country by their proposed financial measures. But, without yielding to popular clamour, he must express his opinion that the Government had acted most injudiciously in bringing forward this Budget at the present conjuncture, when the question between town and country had been as nearly as possible closed, and was now likely to be reopened by some of the propositions of the Budget. By bringing forward an obnoxious increase to the taxation of the inhabitants of towns in connexion with an advantage to the agricultural classes, they were doing all in their power to increase the storm which they professed themselves anxious to allay. To the proposed increase of the House tax he should give his most decided opposition. He believed it to be an unnecessary measure, and one which ought not to be passed except under circumstances of peculiar necessity; and he feared that it would be most distasteful to the people, not only as an increase of their burdens, but as a favour to the country party at the expense of the towns. A very large number of the present constituency would much prefer going into houses of the value of 9*l*. 15*s*., and surrendering the franchise, than remaining in a 10*l*. house, and thus rendering themselves liable to the tax of 15*s*. per annum. He did not mean to say that in some future revision of taxation some connexion might not be very wisely established between representation and taxation; but in that case taxation would be associated in the minds of the people with a new privilege, which they would then enjoy. What they would get out of the hard earnings of the man living in a 10*l*. house, by means of direct taxation, they would lose in indirect taxation, for the 15*s*. which such a man would have to pay to the House tax, he would, in most cases, deduct from his purchase of exciseable articles. Looking at this question from every point of view, and laying aside all party bias, he (Mr. Milnes) must declare himself utterly unable to support his right hon. Friend the Chancellor of the Exchequer in that part of his scheme which related to the increase of the House tax. When he remembered the immense expectations which had been raised in regard to this Budget amongst all classes of society, he could not help believing that it could hardly have been the scheme which the right hon. Gentleman had had in his mind at the time when he held out to the country the enormous advantages which were to result from his great plan for reconciling all classes; and he (Mr. Milnes) must own that he could not help regarding the present Budget with much disappointment.

MR. SANDARS rose for the purpose of expressing, in a very few words, his reasons for the vote which he intended to give upon this important question. The right hon. Gentleman the Chancellor of the Exchequer had laid before that House and the country a large and important measure of finance, and he told the House that, as a whole, they must take or reject it. Mr. Sandars regretted that decision; for while there was much in the scheme of which he approved, there were parts of it to which he felt a strong objection, and he was desirous of having the opportunity of going into Committee on the whole Budget, with a view of weeding out the bad, and preserving the good. But as this course was not left open to him, he must consider the question as a whole, to see whether the good or evil preponderated. The hon. Gentleman the Member for Pontefract, who had just sat down, had objected to the House Tax mainly on account of its including houses of 10*l*. rental. He said it would disfranchise many of the 10*l*. householders. He (Mr. Sandars) did not fear such a result. He thought the franchise was too much valued by its possessors for them to lose the privilege for the sake of some payment of 10*s*. or 15*s*. per annum; if otherwise, he felt no sympathy with those who declined to bear their fair share of the burthens of the country. It had long been a favourite doctrine of hon. Gentlemen opposite that taxation and representation should go hand in hand; and he trusted that now they had an opportunity of practically carrying out that principle, they would not repudiate it. His (Mr. Sandars') objection to the House tax was the proposal of doubling it at a time when our finances were in that satisfactory state that there was no call for any increased taxation. It was at all times difficult and unpopular to increase taxation, but doubly so when the state of our finances did not require it. What was the alleged cause for the increase on the House tax? Why, a repeal of half the Malt tax. He (Mr. Sandars) had opposed the Motion of the hon. Gentleman the Member for the North Riding when he proposed the total repeal of the Malt tax, and he had also opposed the Motion of the hon. Gentleman the Member for Derby when he proposed the repeal of one-half the tax. He had then stated fully his objections to both those propositions, and he now saw no reasons to induce him to change those opinions. He then contended that it would afford but little, if any, relief to the agriculturist, and that he was of the same opinion as Adam Smith, who said, "Five or six millions sterling might be had more easily from malt, and so as to be less burthensome to the country, than in any other way." But the proposal to take off half the Malt tax was much more objectionable than to take off the whole, for it left all the vexatious restrictions and penalties, and the same expenses of collection on half the tax as on the whole. He had also a further objection. At present the manufacture of malt was confined to this country, but the Chancellor of the Exchequer proposed, on the principle of unrestricted competition, to admit foreign manufactured malt at an equivalent duty to that which the maltster at home paid. Barley fit for malting purposes came chiefly from those ports in the north of Europe which were closed by frost from November to March or April; these were the best malting months in the year. But the foreigner, now prevented by physical causes from sending his barley here, four or five of the best malting months, would, if these Resolutions were passed, be enabled to malt his barley at home, and send it in the shape of malt through the summer months, to the great injury of both the home maltster and producer of barley. Nor would the advantage to the consumer be felt. It would amount to but a farthing in the quart of beer; too trifling a difference to cause a reduction in the retail price, and the large brewer and retailer would be the chief, if not the only, parties who would be benefited by the repeal of half the Malt tax. He did not see the hon. Gentleman the Member for Derby (Mr. Bass) in his place, or he would have asked him if he had lowered his price of beer since 1847, when barley was 60*s*. per quarter, but had since fallen to 20*s*. and 25*s*. in 1850? He had now stated his objections to the Budget of the right hon. Gentleman the Chancellor of the Exchequer, and he would next shortly refer to the bright side of the question. He approved of the proposed reduction in the duty on tea, though he should have preferred a more speedy plan of arriving at ths minimum dnty of 1*s*. per pound, say in four years instead of six. He thought this a wise and judicious step. Tea had become a necessary of life, and the reduction of the tax would be a seasonable relief to the poorer classes, and at the same time greatly extend our trade and commerce in the East. He also approved of the principle, now admitted by the Government for the first time, of a distinction between incomes from real estates and those from trades and professions. He could have wished the reduction carried further, if not from 7*d.* to 4*d.* in the pound, at any rate to 5*d.* He did not see the wisdom of retaining those fractional parts of a penny when making these extensive changes in our finance. It was proposed to put a duty on malt of 1*s.* 3½*d.* and 5 per cent per bushel. Why not say at once 1*s.* 3*d.* per bushel, or ten shillings per quarter?—this would be acting like men of business, and plain business men could then understand what they had to pay. It was high time that the 5 per cent on the Excise, and the 10 per cent on the assessed taxes, imposed some years ago, by the right hon. Baronet opposite, when there was a deficit of revenue, should now, when there was a surplus, be abandoned. He had now stated what he thought was good and what was objectionable in the financial scheme of the Chancellor of the Exchequer, and he was bound to say he thought the good preponderated over the bad; and, further, in coming to a decision upon the whole scheme, it was impossible for him to overlook another circumstance, namely, the probable effect of the rejection of the Budget on the position of the Government. Frequent changes in the Government of a great commercial country like this, were greatly to be deprecated; and feeling confidence in the general policy of the Government, feeling strongly the great evils attendant on frequent changes in the Administration, and believing that the merits of the financial scheme exceeded its demerits, he had, after deliberate consideration, decided to give his vote in favour of the Resolutions before the Committee.

Mr. H. H. VIVIAN said, he wished to address himself to one or two practical points of the financial scheme. He considered the Budget had set at rest the great question of Free Trade and Protection much more peaceably than it would have been even had the Resolution of the hon. Member for Wolverhampton (Mr. C. Villiers) been carried. There was a good deal of good in it, and for his part he had no hesitation in declaring his belief that it was a step in the right direction. The proposed remission of the duty on tea, for instance, was important as much in a commercial as a domestic point of view, and so far as that part of the scheme was concerned, the Chancellor of the Exchequer should receive his willing support. In the establishment of a distinction between incomes derived from realised property and professions, the Government had taken a step in the right direction. He was disposed to look with the same favour upon the concessions made to the shipping interest, though he must at the same time deny that the repeal of the Navigation Laws had inflicted any injury upon that interest, for it was never more flourishing than it was at the present moment; but there were many trifling imposts, such as passing tolls and dues to private lights, which could be abolished with advantage to the shipping interest, but more especially to the coasting portion of it. He decidedly objected, however, to imposing the House tax upon 10*l.* houses, or to reducing the Income tax to incomes below 150*l.*, as it would be imposing the great burthen of the taxation upon classes that were ill capable to bear it, and he should join his voice to the Opposition in resisting that portion of the Budget.

Mr. H. DRUMMOND was never much disposed at any time, in shaping his course in that House, to be governed by considerations affecting the upholding or upsetting of any party or faction; and he certainly was less disposed than ever to be influenced by such motives on the present occasion, when we were about to enter on a new course of taxation, for sure he was that, whether the present Government should continue in office, or be succeeded by another, the principles laid down by the Chancellor of the Exchequer must be adopted and carried out by every Chancellor of the Exchequer who might come after him. This was, perhaps, the first time that any Chancellor of the Exchequer had been able to take advantage of circumstances, and to act as the right hon. Member for Buckinghamshire had done. He cast no blame on Chancellors of the Exchequer gone by. He must say that the right hon. Gentleman had done well to bring forward measures which, on the whole, were entitled to the approbation of the enlightened, whatever difference of opinion might prevail as to various portions of the details. But it was, however, somewhat amusing to witness the extraordinary dismay and consternation which betrayed themselves among Gentlemen opposite on the first appearance of a practical free-trade measure. It reminded one of Milton's description of the feelings in the breast of a gentleman of great notoriety on beholding his own offspring:—

> "Whence and who art thou, execrable shape,
> That darest, though grim and terrible, advance
> Thy miscreated front athwart my way?"

This seemed to be a just description of the Free Traders, and rightly to express the nature of the feelings with which they received a Free-trade Budget at the hands of the present occupants of the Treasury benches. Hon. Gentlemen opposite were frightened at this direct taxation they had so clamoured for, and, in his opinion, they were not far wrong. The question of direct taxation was not a difficult one; but he thought that the system was not carried far enough by the Chancellor of the Exchequer. The sources of direct taxation were, first, the land; secondly, the funds; and, thirdly, houses; and the system ought to extend over the whole of those three sources, without exception. Then another tax should be imposed on income, and in this way property would be taxed doubly; first in itself, and secondly in the income derived from it. This sounded very well, but the fallacy of direct taxation had been proved in a neighbouring country on a very large scale. [Mr. Hume expressed dissent.] The hon. Member for Montrose shook his head; but there were others in that House who remembered that, at the beginning of the French revolution, in order to strike at the privileged classes, indirect taxation was abolished, and direct taxation resorted to. What was the result? At the very time when Napoleon was desirous of becoming Emperor, and when he had every reason to flatter the people, he nevertheless declared that they must go back to indirect taxation, because direct was found to be totally useless. M. Thiers had described direct taxation in a few remarkable words:—*Ce système, si beau dans la theorie, si faux dans la pratique.* Now, mark! It was by indirect taxation alone you could touch the masses, and when they held up in an offensive way to the public that class which they called the aristocracy, let them remember that the aristocracy, in point of numbers and property, were really as nothing in proportion. You are leading the people to suppose that the aristocracy are a sort of mine to be worked up for their benefit, and, if they can only get hold of them, all the rest of the public would escape from contributing to the support of the State. This was a fallacy. Those taxes were most productive which were paid by the greatest number of persons. The hon. Member for the West Riding (Mr. Cobden) was the only person who was consistent on this subject. Both in his speeches and writings the hon. Gentleman had avowed his desire to see direct taxation established. He (Mr. Drummond) differed from the hon. Member on the end to be obtained; but he said truly, not only there, but elsewhere, that the people would never pay it, and then the Government would be obliged to abandon their expensive and extravagant establishments. You ought, in conformity with your principles, to extend the House and Property Taxes to the lowest point—to every cottage rated to the poor; but if you did so you would, in troublous times, be unable to collect them. As to the Malt tax he had never advocated its repeal on the ground that it would be advantageous to the landed interest. Instead of this being a question between town and country, it was a question between the shopkeepers, who never drink beer, and the poor, who drink nothing else. The labouring classes in London, to his certain knowledge, saw through the opposition to the House duty. They said that the shopkeepers wished to condemn them to drink blacking, which was called beer. Gentlemen who drank their wine treated this question very lightly. His poetic Friend the Member for Pontefract (Mr. Milnes) was afraid the working men would drink a little more beer, which he thought was not good for their health. The total repeal of the Malt tax would alone have destroyed the brewers' monopoly, and got rid of the expense of collection. Nevertheless, the proposed reduction was a step in the right direction. He had never taken part against any Chancellor of the Exchequer, and he cared not whether he brought forward one or two Budgets in a year. He must say of the last Chancellor of the Exchequer that his calculations had always been very correct, and he never could understand why his own friends should have set about badgering him in the way they did towards the close of his career. It appeared to him that more Gentlemen in the House thought themselves qualified to fill the office of Chancellor of the Exchequer than any other under the Government; but, as far as his experience went, it was a most difficult post to fill, and, for his part, he would never oppose the Budget of any Chancellor of the Exchequer.

MR. HEADLAM:* Sir, I think I am acting upon the common understanding of both sides of the House, and upon the statement of the Chancellor of the Exchequer, when I assume that the question we are now considering is the whole financial scheme proposed to us by Her Majesty's Government, and not merely the first Resolution concerning the House tax, which constitutes the technical question put by you from the chair. It is, indeed, essential that we should so consider the subject, for without we have regard to the subsequent Resolutions for the remission of taxation, no basis whatever has been laid, no shadow of argument has been given, for the imposition of any new tax, still less for the imposition of a new tax so harsh and oppressive in its bearing as this proposed new House tax. Considering, then, the whole Budget, I am bound, in the first place to call the attention of the Committee to the present financial condition of the country, partly because I have the misfortune to differ, in some respects, from the view presented to us by the Chancellor of the Exchequer, and partly because it is absolutely necessary, before we come to a definite conclusion on any financial changes, that we should carefully investigate the existing condition of the country to which these new proposed schemes are intended to be applied.

We must recollect, in the first place, that we are still in the year 1852, and that we have already had two financial statements made to us of the accounts of this very year, which, according to our Parliamentary usage, terminates on the 5th of April, 1853. The right hon. Gentleman the Chancellor of the Exchequer, a very few months ago, namely, on the 30th of April last, in a speech of remarkable clearness and ability, went through the various heads of the revenue of the State, and laid before us an estimate of what might reasonably be anticipated to be produced by each of them. He also investigated each one of the items of expenditure for the current year, with equal care and precision. The conclusion to which he came himself, and urged upon the House, was, that we might expect a surplus income over expenditure, on the 5th of April next, of 461,021*l.* The right hon. Gentleman then concluded his estimate in the following words: "I hope the Committee have obtained from me an unvarnished and, I trust, clear account of the financial position of the country. This I can truly say, that if I have not succeeded in conveying to them such an account, it is entirely attributable to my want of ability and experience, and not from any desire to conceal anything from them." I have quoted these words because I wish to say, that having heard the speech of the right hon. Gentleman on that occasion, I think the statement he then made was a clear and unvarnished one—that there was no want of ability in conveying it to the House and the country, and that there was no desire to conceal anything from us. I am desirous of now making this acknowledgment, because I am sorry to say that I cannot pay a similar tribute to the speech made to us the other evening, in which I think there were many statements and suggestions calculated to produce erroneous impressions on the country.

Now the surplus, as I have said before, which it was estimated we would have on the 5th of April next, was 461,021*l.* To this sum we are told to add the sum of 200,000*l.*. saved by the very sudden termination of the Caffre war, an event on which I may in passing congratulate the House, more especially as it certainly was not anticipated by any of us. This addition would raise the surplus to 661,021*l.* On the other hand, we voted a sum of about 600,000*l.* on a supplementary estimate for expenditure during the present year. This vote would reduce the surplus on the 5th of April next to a merely nominal sum, namely, about 60,000*l.* Of course these calculations are based upon the estimates laid before us a short time ago, that is, on the 30th of April last; and I am quite ready to admit that since that time the prosperity of the country has been great, and that probably the surplus will prove to be larger than what might have reasonably been anticipated at the time when those estimates were made. Still we must recollect that the country was in a state of great prosperity during the spring of this year, when these estimates were made; that there was then every reason to anticipate that that prosperity would continue; and that there has not been any very remarkable change in the progress of the country within the last few months to alter materially the elements of our calculation for this current year. In the absence, therefore, of the same careful examination of the heads of revenue and expenditure by the right hon. Gentleman the other night that were made by him on the former occasion, I am disposed to rely rather on the calculations made at the end of April last, from whence we may assume that though there will be a surplus at the end of this year, it will not be a very large one.

Taking this as the present financial condition of the country, we have now to consider the proposed changes of taxation. And, first, the remission of the Tea duties. I, for one, most cordially concur in the propriety of diminishing the duty upon this great article of general consumption. There is no object that this House should have more at heart than the increase of the luxuries and comforts of the labouring classes of the community; and from the regular progressive increase in the import of tea, and from what I know of the habits and tendencies of the people, I feel satisfied that we may give this great relief without the imposition of any burdensome taxation. At the same time, we are bound to look the subject fairly in the face; and, with reference to the other portions of the financial scheme of the Government, to consider what will be the effect of the remission of the duty upon tea on the future revenue of the country. Now the present revenue derived from tea amounts to the sum of nearly 6,000,000*l.* It was in the course of last year upwards of 5,900,000*l.*—an enormous sum; and I was surprised that the right hon. Gentleman did not, in his speech the other night of five hours and a half duration, even mention the magnitude of the sum with which he was dealing, or state what would be the probable loss after the full remission of the duty had taken place. I have endeavoured to form an opinion for myself upon this subject, and the best mode I could think of, by which I could arrive at some probable estimate, was by considering the somewhat parallel case of sugar. During the six years that have occurred from 1846 to 1852, there was every year a reduction of the duty on sugar, similar to that reduction of the duty on tea, which is now proposed shall take place during the next six years. There are many parallel circumstances applicable to both tea and sugar. With respect to each article, the individual consumption by the wealthy, and indeed by all persons of moderate income, is at present unrestricted by the price, so that the increase of consumption due to a remission of duty must take place amongst the poorer classes alone. Well, what was the increase of consumption in sugar during the reduction of the duty? It was so large as to attract the attention of all statesmen and financiers. During the six years while the duty was annually diminishing, the consumption increased 95,000 tons, being nearly 33 per cent upon its consumption in the year 1846. Let us assume for a moment that the same will be true with respect to tea. The consumption is now 54,000,000 of pounds, producing, at the duty of 2*s.* 2½*d.* a pound, a revenue of about 6,000,000*l.* Should the consumption increase during the six years of the diminishing duties 33 per cent, it would become in the year 1859, about 72,000,000 of pounds, which, at a duty of 1*s.* per pound, would produce a revenue of 3,600,000*l.* being a loss of about 2,300,000*l.* as compared with the present revenue. It seems probable that the effect of the proposed alteration would be that the loss under the diminishing scale of duties would increase every year until the year 1859, when the greatest loss would occur; and that after that time the revenue would again begin to increase. I do not, however, pretend to make any confident predictions on the subject; my only object is to show that after having put into some peril so large a source of revenue as that derived from tea, it is our duty to be very careful with respect to any other proposed financial change.

We now come to the case of malt. The excise duty on malt for the last year produced 5,035,559*l.*; the loss therefore, by the repeal of one half of this duty, assuming that there will be no increase of consumption, will be about 2,500,000*l.* Now, for my own part, after having somewhat investigated the subject, I can find no reason for anticipating any material increase in the consumption of malt, consequent on the diminution of one half of the duty. On looking back to the past, it appears that the quantity of malt that has been used by the people has been nearly the same, whilst the use of tea and coffee and other articles has greatly increased. The best evidence leads to the supposition that the diminution of half the duty, still leaving the trade subject to all the evils incident to the collection of an excise, would scarcely perceptibly affect the price to the consumer. I think, therefore, we have no right to estimate the loss at much less than the sum I have before mentioned of 2,500,000*l.* The same reasoning applies to the Hop duty. It appears that the sum received in respect of hops in the last year was 426,028*l.*; and I know no reason for supposing that the loss occasioned by the remission of one half of the duty on hops would be less than 200,000*l.*

These are the several diminutions of revenue proposed by the Government. We must recollect that we have a proposed increase of expenditure also to take into consideration. There is, first, the sum of 100,000*l.* very properly devoted to the shipping interest. There is, then, the continued cost of the Militia; and, lastly, the other increased expenses for national defences, amounting, as it appears from the statement of the other evening, to 600,000*l.* Well, how are all these proposed diminutions of revenue and increased items of expenditure to be made good? A tax on houses is proposed, calculated to produce an additional sum of not more than 1,200,000*l.* Now, for my own part, I have the strongest objections to this House tax; but before saying anything more particularly about it, I wish to say that my first objection to the financial scheme of the Government is, that it does not put the finances of the country in a sound and healthy condition. I entertain the very strongest opinion concerning the importance of maintaining the income of the country above the expenditure. No one can feel more than I do the hardship of the very many heavy taxes that press upon the comforts of the community; and no one can be more desirous than I am to get rid of many imposts which affect our commerce with foreign nations, or interfere with the manufacturing industry of our own people. But when I consider how it is that a healthy state of the finances maintains the credit of the country, promotes its prosperity, and gives general confidence to trade and industry, I have no hesitation in saying that we should be guilty of the height of folly if, from our objection to temporary hardship, or, from a too eager desire for any anticipated relief, we were to check the progress that is now going on around us, and mar the fair prospect of relief and prosperity that lies before us. I wish it, therefore, to be understood that, strong as are my objections to a House tax, and great as appears to me the folly of throwing away the revenue derived from the Malt duty, I oppose this financial scheme, in the first place, on the ground that if the proposals of the Government were carried into effect, we should be in danger of a deficiency of the revenue, and all the evils which experience has shown to be consequent on such a state of the finances.

I now come to the consideration of the House tax. We have heard much of the abstract justice of a House tax, if extended as it is proposed to be extended, and we have heard of the evils of any system of direct taxation based upon a system of numerous exemptions. If there were any necessity whatever for a new tax—if, for instance, this country were involved in a war, or if our finances were in a state of embarrassment, or if any other circumstances had occurred, rendering it right that we should call upon all classes to come forward and extricate the country from its difficulties, the case might be different: it is one thing to call upon the 10*l.* householders to pay in such a conjuncture as I have described; it is quite another thing to call upon them to pay no small imposition for the purpose of conferring an imaginary compensation on the landed interest. No case has been made out to prove that any class, with the exception perhaps of the brewers, would benefit materially by the repeal of the Malt duty; but even if this two millions and a half would go amongst the landed interest, I, for one, deny the wisdom, the propriety, or the justice of raising one farthing from the 10*l.* householders for the purpose of making this compensation: and now, and upon all subsequent occasions, I shall oppose to the utmost any claim for such compensation. I am not now going to enter into the evidence which has been given upon the question, whether it is not almost a matter of certainty that the brewers are the class who would in reality benefit by the change. They are a body containing many valuable and respectable members of society, but they are not a class who have any particular right to the consideration of this House, so far as their pecuniary circumstances are concerned. It is now about a century since Dr. Johnson, acting as the executor of Mr. Thrale, in disposing of his brewery, indulged in his characteristic magniloquent language and said, "We are not here to sell a parcel of boilers and vats, but the potentiality of growing rich beyond the dreams of avarice." Since that time the stream of wealth has flowed on in a steady and regular current, and now in the year 1852, when the brewers are hereafter only to be called on for fivepence farthing, instead of sevenpence in the pound on their profits, I see no reason why one million of money should be divided amongst them on the 10th of October next, or why there should be a permanent decrease in the revenue for their benefit, amounting to between two and three millions of money.

But let me say one or two words about this House tax proposed to be levied for the purpose of diminishing the malt and hop duties. Let us look back to the past, for the country has had some experience concerning the merits and demerits of a House tax. In the year 1834 there was both a House tax and a Window duty, and from each of these taxes about the same amount of money was raised. Lord Althorp being in a condition to reduce taxation, took off the House tax, and left the Window duty remaining. It was before my time, so that I cannot speak from my personal knowledge of the subject; but it appears that Lord Althorp alleged the unpopularity of the House tax, as the reason why he selected it for remission. It appears, therefore, that when the people had both a House tax and a Window tax, and could judge of the effects of both, they disliked the House tax even more than they disliked the Window tax. Now I do know, for it has occurred within my own time, how great was the unpopularity of the Window tax; and I have no hesitation in saying that the difficulty of maintaining any tax equally oppressive and unpopular, is almost insuperable. For my own part, I believe that even if you succeed in imposing this House tax now, the cry for its remission, like what was the cry for the remission of the Window duties, would be so strong that you would be compelled, before long, to give it up, at any risk to the revenue; and for this reason, as well as for the other reasons which I have stated before, I say that the financial scheme of the Government is not a safe one, and ought not to receive the sanction of this Committee.

Her Majesty's Government have told us that they intend to stand or fall by this their Budget. I do not think they were wise in making such an announcement. Let them strike out the remission of the malt and hop duties, let them give up the imposition of the House tax—and with respect to the other proposals made by them, namely, the reduction of the duty upon tea, the relief of the shipping interest, and the proposed modification of the Income tax, they may well receive the support of the House, and the gratitude of the country. The fact is, that Her Majesty's Government have been guilty of the indiscretion, to use no stronger language, of exciting expectations which they never had any right to believe that they could realise; and now they come with their reduction of duties on malt and hops, to try and make the farmers believe that they have done their duty and verified their promises. The right hon. Gentleman the Chancellor of the Exchequer will find that there is, in reality, no legerdemain in the art of finance—that it is impossible to change taxes so as to please all parties; and that you cannot take burdens off the shoulders of one portion of the community without imposing an equal if not a greater burden upon another class. Let the right hon. Gentleman give up the practice of using extravagant and mysterious language, and state the case fairly to the public; when it will be found that the wisest statesman can do no more with respect to matters of finance than harbour with care the resources of the country—keep down the expenditure with a stern hand—and take off from time to time, out of the legitimate surplus arising from the growth and increased prosperity of the country, that particular tax which presses most heavily upon the capital of the people, or interferes most with the trade and commerce of the nation.

Mr. CAYLEY admired the inconsistency of the speech of the hon. Gentleman who had just sat down, in which the hon. Gentleman had first accused the Chancellor of the Exchequer of courting popularity by his Budget, and afterwards turned round and almost in the same breath counselled his right hon. Friend, for the sake of his popularity, not to persevere with his measures. He (Mr. Cayley) was afraid that the hon. Gentleman's own fear to face unpopularity out of doors lay really at the bottom of his objections to this Budget. The general objections raised to the Budget on the opposite side were equally inconsistent. It was against all rule, some said, to supply a deficiency before a deficit was created—while others resisted the repeal of a tax until the substitute was found. He left it to hon. Members opposite to escape as they could from so evident a dilemma. How any financial reformation could take place under such rules, he (Mr. Cayley) was at a loss to conceive. The hon. Gentleman objected to the largeness of the alterations now proposed in the financial system of the country; but if these alterations were large, that circumstance arose from the neglect of duty of the Chancellors of the Exchequer who preceded his right hon. Friend. A great alteration had taken place in the commercial policy of the country; and before that alteration took place, he (Mr. Cayley) thought that common justice required that they should have accommodated the financial policy of the country to its altered commercial policy. That change, however, did not take place, and he must say that it was the greatest blot, not only upon the Government of Sir Robert Peel, but also upon the Government of the noble Lord who succeeded it, that no attempt had been made to mitigate the pressure on particular classes by the alterations which had been effected in the commercial policy of the country through a just adaptation to that policy of our financial system which, under protection, had saddled some interests with much heavier burdens than others. Instead of doing that, the Government which preceded the present appeared to sit upon some sort of supreme eminence, looking with sublime and imperturbable equanimity upon the sufferings of millions of their fellow-creatures, as if they were wholly superior to any sense of feeling or of justice. When he listened to the speech of his right hon. Friend the Chancellor of the Exchequer the other night—that statesmanlike and enlightened speech, in which he took so comprehensive a survey of our financial and commercial policy—what most gratified him (Mr. Cayley) was the tenderness, so unusual in Chancellors of the Exchequer, with which he considered the interests of the overburdened classes, and the evidently searching attention which he had directed to probing the evils brought before him to the bottom, with the view to their remedy. When he listened to his right hon. Friend's statement, another thing struck him with no less satisfaction, which was the vigorous determination that he evinced to carry into every department of the State the same searching inquiry, with a view of cleansing out the Augean stable of the public departments of the rubbish and filth that had for ages accumulated in those departments. He (Mr. Cayley) had often voted with his noble Friend opposite (Lord J. Russell). He had in general supported his Government; he had admired his character; he still respected him. But he was not the less inclined, because sitting opposite to him, to support similar principles. He was still an advocate of freedom in every form, still an advocate of reform and progress—of moderate and rational progress—he had never shrunk, he would never shrink, from the endeavour to correct abuses. He thought the present Chancellor of the Exchequer more earnest in the correction of real abuses than any Minister he had ever known; and on that ground had tendered him his support. What he liked in the reference of his right hon. Friend to the reform of the administrative departments of the country also was, the promise that the country should have—what it had never yet had—full value and full service for the hard money which it paid, and every part of its finances brought under the control of this House applied for the public benefit. His hon. Friend the Member for Hertfordshire (Sir B. Lytton) had so entirely expressed every sentiment of his own mind on present affairs that it was almost superfluous in him to trespass on the attention of the House; but perhaps he might be allowed to elaborate somewhat more in detail some of the points to which his hon. Friend had referred. He would pass over that portion of the Budget which referred to the relief of the shipping interest and the relief of the West Indian colonies. Nobody denied that their case had been met in a masterly, comprehensive, and just manner — and that not in accordance, remember, with any principles which hon. Gentlemen opposite called obsolete, but in entire accordance with the Resolution of the House, affirming the principle of unrestricted competition. He had long wished to see the grievances of those interests met in the manner they had now been met, believing that if they had only financial justice they would be able to grapple with the difficulties into which recent changes had plunged them; and he was still of the same opinion. The proposed reduction of the tea duty was to be carried out—nobody denied—in a skilful and scientific manner. The hon. Gentleman who spoke last said he would vote for a reduction of the tea duty, but not for the increase of the house tax; and he was not singular in his taste, for many were perfectly willing to accept a boon, but not so willing to pay the price for it. It was impossible for those who mixed with the Members of that House not to know that the majority of them approved of the principles of the Budget; and it was not because they disapproved of it, but because of the supposed feeling out of doors, that hon. Gentlemen now raised an opposition to it. He (Mr. Cayley) believed they did injustice, in this supposition, to the public virtue of their countrymen. For his part, he felt convinced that, although a temporary unpopularity might be incurred by a vote in favour of the increase of the income tax or the house tax, the disadvantage arising from this enhanced taxation would be more than counterbalanced by the advantages which their constituents would derive from the other propositions of the Government. The notion of a constituency clamouring, he believed, would be found baseless. Then as to the case of the land. He was not quite sure, however, that the fact that for once the Budget contained an agricultural element in it, was not the secret objection of some hon. Members to it. He (Mr. Cayley) rejoiced, as respected the burdens on land, that the Chancellor of the Exchequer had applied himself to the consideration of the malt tax, rather than to the readjustment of local taxation. When the right hon. Gentleman had first brought forward the latter subject when in opposition, he (Mr. Cayley) had, indeed, voted with him rather than produce a division in the country party. But he had stated, at the same time, that he did not concur with him (Mr. Disraeli) in the course which he then pursued to obtain agricultural relief. And for this reason, because, although a transfer of a half or a portion of the poor-rates to the Consolidated Fund might be a material relief to the farmers of Bucks or Sussex, where the poor-rate was sometimes from 5*s.* to 10*s.* in the pound, yet to the farmers in the North, where the poor-rate was, perhaps, from 1*s.* to 1*s.* 9*d.*, the relief would be virtually nothing at all. For the same reason he rejoiced that his right hon. Friend had not resorted to a relief so trivial as the transfer of the county rate. The relief of 2*d.* or 3*d.* in the pound was wholly inadequate to meet the emergency. It was proposed by an hon. Member, by way of Amendment, to meet the deficiencies caused by the Budget, not by an increase or extension of house or income tax, but by the imposition of a probate and legacy duty on real property. This was an arrow stolen from the quiver of the hon. Member for Montrose (Mr. Hume). But what did this insinuation amount to? His hon. Friend had often charged the possessors of real property with an accumulated debt to the country on account of exemption from this tax, to which personal property alone was liable, of some 80,000,000*l.* or 90,000,000*l.* But the hon. Member was now and then addicted to the convenient habit of looking only to the credit, without examining the debit, side of his ledger. If the land, on the balance of taxation, was fairly liable to this tax, let it be paid, or repeal it on other property. But before doing that, he begged his hon. Friend to call to mind the real facts of the case. Personal property had been legally as liable as real property for 150 years to the land tax. It had been as liable legally to poor-rate as real property for 300 years. It had, therefore, probably escaped between 300,000,000*l.* and 400,000,000*l.* of taxation during those centuries by being permitted to evade these taxes. Deduct his hon. Friend's 90,000,000*l.* from this 300,000,000*l.* or 400,000,000*l.*, and a debt would be due not from real property, but to it. Personal property had also originally been liable to tithe. Omitting, also, at the present moment the grievous restrictions on land in the shape of malt and spirit duties, there were other taxes under which real property, and land especially, severely groaned, especially the stamp duties on the mortgage and transfer of land, and the assessed taxes which dogged a country gentleman into every corner he could go. Not an inch could he travel, not an out-of-doors pleasure pursue, without having his pocket invaded by them. He hoped hon. Members, before they again reverted to the exemption of real property from probate and legacy duty, would call to mind some of these facts. Now, with respect to the malt tax, he hoped they would not shirk the real gravity of this question, and that the Budget might be discussed on its own merits, without regard to party differences, personal motives, or petty jealousies against Members of the Government. It had been positively admitted in former years, by all who advocated the repeal of the corn laws, that when they were repealed, the malt tax must be removed also. Sir Robert Peel said, "Repeal the corn laws, and you must allow the agriculturist to grow his own tobacco, to grow and manufacture his own beet-root sugar, to grow and manufacture his own malt." The right hon. Baronet the Member for Carlisle also said that if the corn laws were repealed, not a single year would elapse before the malt tax also would be repealed; nor could he assign any reason why the agricultural interest should be restricted from raising its own beet-root sugar and tobacco. He asked the hon. Member for Manchester, and other hon. Members who thought with him, how they would like a proposal to subject the businesses they carried on to such restrictions as the farmer had to submit to under the present system. The consumption of his produce was inordinately diminished by the weight of taxation levied on it, as well as by the system of licences—licences to the maltster, licences to the brewer, and licences to the retailer. Then the penalties leviable for infractions of the excise laws were of that severe character that the maltster might incur at any moment, through the delinquency or neglect only of his servant, penalties not only of 100*l.* each, but cumulative; so that neglect for a number of days together involved a penalty of 100*l.* for each day in succession. Imagine what would be the consequence if the manufacture of cotton and metals were to be conducted under similar regulations. The hon. Member for Nottingham had just stated the malt tax to be little of a grievance. He would take him to Nottingham, and suppose a pair of stockings might be manufactured for 10*d.*; they then required bleaching, say at 1*d.* a pair; but if the exciseman made a demand of 8*d.* duty on every pair, then if a licence were exacted from the getter up, and a third demand for licence duty from the retailer, how would the stockinger of Nottingham like this interruption to his manufacture, or such a limitation of demand for his article from such enhancement of price? He would not complain alone, he would more probably rebel. This was, in other words, the case of the malt tax. The manufacturers would not bear such a system themselves, and yet they imposed it on others. They had already clamoured off the Custom duty on raw cotton, and the Excise duty on printed calicoes. This they called free trade; but he appealed to the hon. Member for Manchester to do as he would be done by. The amount produced by the malt tax was 5,000,000*l.*, but the loss sustained by the public from its operation was, as he would show, not less than 20,000,000*l.* yearly. Ale of a certain quality (ten gallons to the bushel) was, under the tax, charged at 5*d.* a quart. This, if no duty existed, could under free competition be retailed with ample profit at 2*d.* Now 3¼*d.* in the quart was the proportion of the tax on a quarter of malt. That 3¼*d.* represented, therefore, 5,000,000*l.* which was brought into the Exchequer from the malt tax. But 2¼*d.* remained to make up the 5*d.* now charged for the quart: in other words, there were three times three farthings additional to be accounted for, which the Excise and licensing system enabled the brewer and maltster to screw out of the public. This represented 15,000,000*l.* more; making in all 20,000,000*l.* which this tax levied out of the public, although only 5,000,000*l.* went to the revenue. And this was called by the disciples of red tape a convenient and politic tax, and cheap of collection. It was, on the contrary, opposed to every principle of free trade and of political economy, and he defied an answer to this description of the enormity of this tax. It was impossible to argue this question, except in reference to the repeal of the whole tax; and he (Mr. Cayley) understood the proposal as only by way of instalment. The repeal of half the tax might have some effect, especially under the altered system of credit proposed by the Chancellor of the Exchequer. He hoped his hon. Friend the Member for Hertfordshire was right in estimating the reduction in the pot of beer under a comparatively freer competition at 1*d.* But if the whole tax were removed, the working man could get his ordinary beer at 1*d.* a quart, which now cost 4*d.* A tax which drove the poor man to the public-house, and deprived him of the enjoyment of his domestic comforts at his own fireside, and in the bosom of his family, was of the most pernicious and demoralising tendency; and he could hardly conceive any more material means by which the morality of the poor could more effectually be improved than by the repeal of this tax; both directly and indirectly, in its reducing the demand for ardent spirits. Then, again, as this tax affected the farmer. There was no article of similarly large and general consumption which had been relieved from oppressive taxation, of which the consumption had not increased to threefold its former amount. If, then, the effect should be to raise the consumption of malt from 5,000,000 to 15,000,000 quarters, there would be a demand for 10,000,000 additional quarters of barley. Let hon. Members argue the question in this way: They admitted the fall in the price of grain which had taken place in consequence of the repeal of the corn laws; and having introduced into this country an extra supply of 8,000,000 quarters of grain, if they had also at the same moment created an extra demand to the same extent, no injurious consequences to the farmers would have been felt. How, according to the law of supply and demand, could this position be denied? Thus, in this measure, they had incidentally the true remedy for the mischief worked by the repeal of the corn laws on the land. The hon. Member for Montrose told the agriculturists that they ought to be more scientific; but it was obvious that their legislation interposed the most serious obstacles to the adoption of a more scientific system of culture; for barley growing involved the most scientific agriculture, and this the malt tax virtually prohibited. The right hon. Member for Carlisle recommended them to grow less wheat; but the existing financial system operated as a virtual prohibition of the growth of barley, and made it impossible for the farmer not to place his main dependence on wheat. With respect to the increased demand consequent on the repeal of the malt tax, he ventured to say that there was not an acre of land in the United Kingdom which would not feel the benefit of it. If there were a demand for 8,000,000 more quarters of malt, the farmers must grow less wheat and oats, and the markets would, to a great extent, be cleared of the superabundance of those articles, and their prices would in the end rise quite as much as barley; with the extra advantage that the foreigner could not compete with us in barley; whereas he beat us in wheat. One of the most scientific agricultural writers of the present day, Baron Liebig, showed that the foundation of all improved agriculture rested on the amount of cattle-fattening food which was raised on a farm. One of the most effective agencies in providing valuable fodder was in the distillery of spirits from potatoes, of which there was generally one attached to every farm in Germany. The refuse of the stills afforded the best possible food for cattle, and the farmer was thus enabled to feed his stock at the cheapest rate, by converting the starch of the potato into spirits, leaving the vegetable caseine, the most nutritious food, as the refuse of the distillery. But our heavy duties on spirits operated against our adopting this system. And yet Liebig tells us, that this system was the foundation-stone of the prosperity of German agriculture; a system from which under free trade our farmers were debarred. How, he asked, could they expect the British farmer to compete with his continental rival, in the face of such obstructions to his trade; or how could our manufacturers compete with their foreign rivals if they were subject to such restrictions? Was it just that the manufacturers of cotton, woollen, linen, metals, should be exempt, while British agriculture was not relieved from such restrictions? It was because he observed in the Budget a disposition to do financial justice that he warmly supported it—justice which was to be obtained in accordance with the present commercial policy, and without injury—on the contrary, with advantage—to all classes. He (Mr. Cayley) had now got to the end of the boons which the Chancellor of the Exchequer proposed to give by his Budget, and he came next to the price which the country was to pay for them. He knew of no reason why persons living in houses with a rental between 10*l.* and 20*l.* should be relieved from bearing their share of the taxation of the country; and had the late Chancellor of the Exchequer, when he removed the duties from windows, retained the amount of the house tax which he levied as a substitute, there would now have been no necessity to raise it. For the last few years everything had been done for this class, which he might call the shopkeeping class, in the way of taxation. They had got rid of almost all the indirect taxation which pressed upon them; but now, when it was proposed to tax them directly, they called out against it. He did not wish to press unduly upon any class; but fair dealing required that they should pay their fair quota of taxation; and because they happened to be influential in elections was no reason, but rather the contrary, that they should, through a constituency clamour excited in the first instance by hon. Members in that House, be exempted from that fair quota. More he did not demand. He thought that if there was one class of the industrious community more able than another to bear taxation, it was this—the distributing class—which was not exposed to the casualties incidental to the producing interests. Neither was there anything unscientific or objectionable in principle to a house tax. Mr. Mill, one of the highest of the philosophical authorities, specially advocated this as the best form of taxation, it being not merely an income tax, but the best form of one; because it was not a test simply of nominal, but of the real spendable income of the taxpayer. But there was one reason, and he suspected it was the real reason, why this tax was obnoxious, and this was that it could not be evaded; whereas the present income tax was notoriously evaded to a great extent among the commercial classes by their own admission. Was this to operate with the House as a reason against this proposition? It might, indeed, and he hoped it would be mitigated as between *20l.* and *10l.* houses; but the principle of its extension could not be and was not denied; nor, indeed, was the justice of the extension of the income tax. There were, however, some who said that the price of the boons conferred by the Budget should be paid, not by England, but by the extension of the property tax to Ireland. Now the whole tendency of the Chancellor of the Exchequer's speech, on proposing the Budget, went to affirm the principle that the land of Ireland should be equally taxed with the land of England. But surely some allowance should be made for the different circumstances in which the different parts of the Empire were at present placed. In consequence of the famine, the fever by which it was followed, the novel imposition of a poor-rate, the repeal of the corn laws, and the various calamities by which she had been afflicted, Ireland was not in a position to be placed upon an equal footing with England at the present moment as regarded taxation; and he thought the Chancellor of the Exchequer had exercised a wise and paternal discretion in exempting Ireland at this moment from the burden of the income tax. And it seemed to him rather surprising that hon. Gentlemen opposite, who protested against the extension of the house tax to the class of persons living in houses between *10l.* and *20l.*, should advocate the extension of the income tax to Ireland, which was certainly less able to bear additional taxation. On these grounds he (Mr. Cayley) supported, in the main, the Budget proposed by his right hon. Friend, and principally because of the spirit of justice and impartiality which pervaded it. To his mind, the Budget meant relief to various interests from oppressive burdens: justice tempered with mercy to Ireland; an equitable modification of the income tax; relief to the masses in their consumption of beer and tea. And the price asked for all these boons was far overbalanced by the gain to every one who would pay it. The rejection of the house tax, on the other hand, meant an extension of the income tax to Ireland, continued indifference to overburdened interests, the continuance of an unjust income tax, and the loss of cheaper articles of consumption to the poorer classes. But the rejection of the house tax involved something more than the rejection of the Budget. It might involve—I hope (continued the hon. Member) I hope it may not—the fate of a Government. Let new Members, of whom I see many before me, especially consider their present vote in this double point of view. Who are to be the successors of the present Ministry? In financial language, you must supply a substitute before voting a deficit. In what crucible are the incongruous materials opposite to be fused into a political amalgam of sufficient tenacity to hold together? You may, indeed, fuse gold and lead into combination, but you will find the union brittle, and the brightness of the metals gone. You may lose this Budget which you know, and which, as I believe, public opinion will in the end sanction and accept, for a Budget of which you know nothing, and for a Government of which, if possible, you know still less. But there is a constituency power. Believe me, you under-estimate the sense of justice and public virtue of your constituents if you think they will condemn you for obeying the honest dictates of your conscientious convictions. By a natural instinct, as it appears to me, the common sense of the country, unswayed by political excitement, has already in its essence accepted the Budget. Nor can I believe that selfishness or faction, cowardice or clamour, will in the end prevail against it; for it has for its foundations the immutable principles of justice, sound policy, and truth; and on the late triumphant reception of the Chancellor of the Exchequer in the City of London I think I read the verdict of the country, and, sooner or later, the irresistible triumph of the financial propositions now before us.

SIR CHARLES WOOD: Sir, if I agreed with my hon. Friend who has just sat down, that the common sense of the country has already accepted the Budget of the Chancellor of the Exchequer, I should hardly think it worth my while, on the present occasion, to rise for the purpose of discussing it. But, with great deference to my hon. Friend, I take leave to doubt whether the country has accepted, or will accept, the Budget of the Chancellor of the Exchequer. The Resolution which has been placed in your hands, Sir, applies to but a single portion of the Budget, but by common consent, and indeed by the express invitation of the Chancellor of the Exchequer, we are now to discuss the main features of his proposals; and it is a proper and legitimate opportunity for doing so. For although some portions of the Budget may well be separated from others, yet many portions of it so hang together, that it would be impossible to discuss one part without taking the others into consideration. Therefore I shall make no apology for addressing myself to the whole Budget, promising that, considering the late hour of the night, I will confine my observations within the smallest possible compass. The right hon. Gentleman divided his statement into two parts, the former treating of the claims of what he called the suffering interests, and the latter of what more properly constituted the Budget. Now this, Sir, I hope is the last time that we shall hear of the claims of the suffering interests. ["Oh, oh!"] As the Chancellor of the Exchequer states that he considers that he has this year, and by his Budget, disposed of the claims of the suffering interests, I am surprised that his supporters should cheer in that derisive manner when I say that I trust that this is the last time we shall ever hear of the suffering interests. The right hon. Gentleman commenced with an elaborate enumeration of the sufferings and of the claims of the shipping interest. Now, I confess, that on looking into this matter, I cannot discover where the suffering lies. I have heard of an increase in the shipbuilding of this country, which certainly seems as if our shipowners were confident enough of their power to compete with the foreign shipowners. It appears by the last trade and navigation papers, that British shipping is increasing as compared with foreign shipping. This is as clearly proved by these returns as facts and figures can do—facts and figures, too, not furnished by us, but by the right hon. Gentleman the President of the Board of Trade, who would not suffer them to be falsified. So far as appears from those returns, I cannot discover that there is any suffering needing to be relieved, as far as the shipping interest goes. But the right hon. Gentleman proposes measures for their relief with which I do not quarrel. He proposes to abolish salvage and anchorage; he promises a Committee on pilotage, and, following the course pursued by my right hon. Friend the late President of the Board of Trade, to relieve the shipping interest from some portion of the charge of light-dues and of passing tolls. That I think is a right measure to adopt. It was advocated by my hon. Friend the Member for Montrose on larger and more general grounds, and on those grounds I think the measure right, but not for the reasons given by the Chancellor of the Exchequer. Whatever dues he has taken off are taken off from foreign as well as from British ships. It is quite right that this should be done, and I entirely approve of it on general commercial principles; but I say, that it does absolutely nothing towards enabling the British shipowner to compete on better terms with his foreign rival. But in the enumeration of the claims of the shipping interest, the right hon. Gentleman forgot one which was pressed upon me very strongly when I was in office, and the justice of which I felt—I mean the reduction of a duty which has been repeatedly urged upon the attention of the House as one which pressed unfairly upon the British shipbuilder — the duty on timber. The right hon. Gentleman says that henceforth unrestricted competition is to be the rule of our commercial and fiscal policy. In this case, however, the British does suffer under a disadvantage as compared with the foreign shipbuilder; and if the right hon. Gentleman had been disposed to benefit the British shipbuilder, as compared with the foreign one, he would have relieved him from a duty which does press upon him but not upon his rival—he would have followed the example which I set, and would have again reduced the timber duties. This would have been a measure which would have removed a burden from the British shipbuilder, and would at the same time have conferred a benefit upon the community at large. By the measure which he now proposes to the House he will confer a benefit equally upon the British shipowner and his foreign rival; but if he had reduced the duty on foreign timber, he would have conferred an advantage on the British shipbuilder which the foreign shipbuilder enjoys, namely, cheap timber, which would have better enabled the former to meet foreign competition, and would at the same time have been productive of great advantage to the community generally. The hon. Member for Cambridgeshire said that he was in favour of unrestricted free trade. Why not, then, carry out fairly and fully the principle of free trade, by abolishing the present protective duty on colonial timber? The next suffering interest to which the Chancellor of the Exchequer alluded was the West Indian interest. I certainly cannot complain of the way in which he has treated the so-called claims of the West Indian interest, for he has negatived entirely their principal demands for altering the duties now in operation. I will not go into this question now, for it was fully discussed last night. All that I need say is, that that which the right hon. Gentleman has said is in the fullest accordance with every view which I have on former occasions expressed, and on which the Government of which I was a Member have acted for years. Did we ever deny that there was temporary distress in the West Indies? which we lamented, and which we endeavoured, as the right hon. Secretary for the Colonies fairly admitted last night, in some degree to alleviate by furnishing loans to enable them to obtain labour—a measure the value of which they seem now beginning to appreciate. But what we said was this—that by improved methods of cultivation, by the introduction of additional labour, and by the application of science to the production of sugar, free labour would be enabled successfully to compete with slave labour. And is it not so? I appeal to the statement of the right hon. Gentleman, that at the present time colonial sugar is displacing foreign sugar in our market. Free labour has met with the assistance of science, and it is now successfully competing with slave labour. Sir, the third class of suffering interests to which the right hon. Gentleman alluded, is the agricultural body of this country: he stated, as he has on former occasions stated, that they claimed to be relieved on account of exclusive burdens which justified them in demanding protection or compensation for those burdens. But he has now done that which I think he ought to have done long ago—he has rejected those claims altogether. And I do trust that after this utter rejection of any claims on account of these burdens by him who was their ablest, steadiest, and most constant advocate, we shall not again hear these claims pressed upon the House. Words strong as the English language can afford bound the Chancellor of the Exchequer either to obtain protection or compensation for these burdens. But the position in which he is now placed, and the responsibility which he now feels to be imposed upon him, compel him to reject those claims. What I do regret, and what I think the agricultural body must regret, is the delusion and misrepresentation which has been exercised upon them for the last three years. Will any one deny that it has impeded the settlement between landlords and tenants, and that great evils have resulted from the maintenance of the belief that relief could be obtained by the agricultural interest from these local burdens? That delusion is now at an end; but I know not what, except change of position, are the circumstances which have led the Government to change its opinion on this subject. In 1849 I met the right hon. Gentleman on this question. I then was enabled to state that which he states now—the diminution of the charge of these local rates. The same thing was repeated in 1850, and again in 1851. No doubt the continuance of low prices, consequent upon the abundance caused by our recent legislation—wise, just, and beneficial as I maintain it to have been—has caused a continued state of prosperity. Of course, the continuance of that state of things has more and more improved the condition of the labouring classes, and thereby diminished the charge of the poor-rates, which is the ground upon which the right hon. Gentleman says that he now rejects these claims for compensation on account of local burdens. I must thank the right hon. Gentleman for having candidly made this admission. My right hon. Friend the Secretary of State for the Home Department stated that there was an increased expenditure on the relief of the poor of late years, and that this circumstance showed that the country was not now prosperous, and that our recent legislation had not been attended with beneficial results. But the Chancellor of the Exchequer flatly negatived this statement of the right hon. Gentleman. Again, the First Lord of the Treasury and the President of the Board of Trade had tried to show that emigration, and not the reduction in the price of food, had been the cause of the diminution of the poor-rates. But the right hon. Gentleman had shown that there had not been much diminution in the poor-rates in 1852 as compared with 1851; although that was the precise time at which the great increase of emigration had taken place. Glad I am that this admission comes from such a source in such a way that no question can hereafter be raised that the prosperous and well-doing condition of the community generally, and of the industrious classes especially—taking that expression in its largest sense—is owing pretty exclusively to that legislation of recent years, which those who make that admission still refuse to admit was wise and beneficial.

Now, I will at once pass to those measures in the Budget of the right hon. Gentleman which some parties out of doors are disposed to consider as compensations to the agricultural interest. I must say that I am glad to see that Gentlemen connected with the agricultural interest are satisfied with these compensations, such as they are. Certainly they seem to me to be of very little advantage to the agricultural interest. What benefit is it to them to have a repeal of half the malt tax, accompanied with an extension and increase of the house tax? What is the description of farms which is now most easily let at the best rents? Those on which barley is grown. What is the crop which pays best at this moment? Barley. What stock pays best now? That which is principally fed on barley-growing land, namely, sheep. If there be a description of land to which no boon is required, and for the burdens upon which no compensation can possibly be wanted, it is that land to which, if to any, a boon is given by the remission of a portion of the malt tax. But I must say that I believe, as the hon. Member for Wakefield—a supporter of the Government—has told you, that it will not tend to benefit the agricultural interest at all, because if, as by the admission of the right hon. Gentleman must be the case, in conformity with the principle of unrestricted competition, foreign malt is to be admitted, that will keep down the price of home-grown barley, and prevent that rise which those who have advocated the repeal of the malt tax have always looked for. I am not now arguing this as a consumer's question, I will come to that by-and-by. I am now taking it as an agriculturist's question, and I believe that while the reduction of the malt tax will absolutely give nothing to the agriculturist, an enormous amount of revenue will be sacrificed for this so-called, but illusory, benefit. I believe that the same thing is perfectly true with respect to the benefit supposed to accrue from taking off half the hop duty. The county of Sussex and a small part of Kent no doubt call out for the removal of the whole duty; but even if such a measure as that were adopted, the benefit to the English hop-grower would be very doubtful. Let me, however, ask hon. Gentlemen representing the agricultural interest, whether there is nothing in the Budget which touches them? I have, on former occasions, in discussing the question of the income tax and the uniform rate of the different schedules, defended the maintenance of that uniform rate, by showing that even if it were admitted that a different rate upon real property was just, the local taxation of this country afforded that additional rate. The local rates fall on the landlords, as everybody knows—they are in point of fact a diminution of their rents. And the boon which the Chancellor of the Exchequer proposes to confer upon the landowners of England is, not to relieve them from their local burdens, not in any way to give them relief from the taxation to which they were liable; but while he relieves other schedules of the income tax, to leave a higher rate upon them under Schedule A. That is to say, he leaves a burden upon their backs exclusively, instead of giving them any relief from the burdens of which they have so long complained. I have, on former occasions, taken up and argued this question. I have no other interest in this matter except what may arise from a desire to advocate what I believe to be just and right; I have no interest in depressing land in any way whatever; but it is fair to warn the landed gentlemen of England of this, that they will have put upon them a new burden, how to limit the extent of which it may be difficult to foresee; because I know not that there is any point at which you can limit the amount of difference of rate, if you once give a discretion with respect to the extent of the tax. The right hon. Gentleman says he will tax other property at three-fourths of the amount he taxes the land; I am not going to argue that question, but I warn the gentlemen of England of the consequences of the step they seem disposed to take. The Member for Wakefield has already said that the difference of rate on land as compared with incomes from trade, ought not to be, as proposed by the Government, between $5\frac{1}{4}d.$ and $7d.$, but as between $4d.$ to $7d.$, and if this principle be admitted, there is no limit to the difference which may be made, till it approaches confiscation of property.

I come now to the figures of the right hon. Gentleman, and am about to deal with the Budget of the ensuing year.

I am not now about to advert to the principle of the taxation which he proposes to impose or take off; I am merely about to deal with the figures. The right hon. Gentleman assumes that he will have next year a surplus, everything remaining as at present, of 1,350,000*l.* He takes it that the vote for the Kafir war will be less than that of last year by 260,000*l.*, leaving a surplus therefore of 1,610,000*l.* He proposed to repeal one-half the malt tax after October next; that is to say, I apprehend, that the crop of this year is to pay the full amount of duty, but that there will be a drawback on such as remains in hand on the 10th of October next. He proposes a reduction on tea, by which he calculates he will lose 400,000*l.*; the additional cost for defences he calculates at 600,000*l.*, and the charge on the general revenue of the country by the relief given to the shipping interest at 100,000*l.*, making an additional charge or loss of revenue of 2,100,000*l.* To meet that there is the surplus I have stated before of 1,610,000*l.*; he will also have one-half the house tax if the Committee assent to the Resolution now, Sir, in your hands, which he calculates will amount to 500,000*l.*; and he proposes besides to apply to the expenses of the year 400,000*l.* being the amount of repayments for next year from the loans made by the Commissioners of Public Works at different periods. The result of the right hon. Gentleman's figures will be an additional charge of 2,100,000*l.*, and additional means to meet that, amounting to 2,500,000*l.*, leaving a surplus of 400,000*l.* Now the right hon. Gentleman the Member for the University of Oxford stated early in the night that which is, I think, an objection to this measure *in limine;* and it is this, that the only surplus revenue which the right hon. Gentleman leaves himself, is produced not by the supplies of the year—not from the income of the year obtained from the taxation of the country, but by applying to the Ways and Means of the year a sum which was originally a loan. As I understand what I believe to be the meaning of the right hon. Gentleman, the process is this: several years ago, in times of distress, as the right hon. Gentleman has stated, Exchequer bills were issued, and money was raised upon them, which was advanced to various parties to find employment for the population in time of general distress. Those Exchequer bills were exchanged, paid off, and disposed of in succession; fresh Exchequer bills being issued until the year 1842, when a stop was put to the issue of Exchequer bills, the sum already lent out to the public being of such an amount that the average repayments amounted annually to about 360,000*l.* The Exchequer bills then outstanding having been bought with the savings bank money, it was arranged that they should be made a portion of the permanent debt of the country, and that the sum annually advanced should be no more than the amount of the annual repayments. A revolving fund was thus created, whereby the Government and the Commissioners were always in a position to advance money for certain purposes to parties who required it. The right hon. Gentleman proposed to put an end to this Public Work Commission. I entirely disagree with him as to the policy of that course. I am quite ready to grant that at the present moment, as on many previous occasions, money may be borrowed at a cheaper rate than that at which it is advanced by the Public Works Commissioners; but it was part of the policy at all times that the rate of interest should be higher than the market rate, to prevent any interference with private capital. Many of the most useful works in the country have been aided by advances from this fund. A sum of 300,000*l.* in the year has been advanced in England, and 60,000*l.* in Ireland for the building of gaols, and for the erection of other public buildings, such as lunatic asylums, charged upon the county rates, and for the erection of similar buildings in Ireland, and for arterial drainage in Ireland. For the building of chapels in various parts of this kingdom the readiest assistance is afforded by those loans, the repayments being made in a manner that is remarkably convenient, where the repayments are charged on the rates. I differ with the right hon. Gentleman as to the policy of putting an end to those loans. But supposing the system to be at an end, what is to be done with the money coming in from the repayment of loans now outstanding, amounting in round numbers to 3,000,000*l.* of money, partly raised originally by loans, partly arising from what the Commissioners called their profits—that is, the difference between the interest paid by the borrower and that which is paid by the country? There can be no doubt that the fund arises from sums originally borrowed, and the interest derived from sums so borrowed; and did any person ever hear it said, or could it be ever supposed, that it was part of the annual revenue of the country applicable to the annual expenditure of the country? I say that if the loans be put an end to, the produce of this fund arising from the repayments should be applied to the reduction of the debt that was incurred in the establishment of the fund. Will any man get up and say that to create a fictitious surplus, the right hon. Gentleman the Chancellor of the Exchequer would be justified in borrowing 400,000*l.*? If he has borrowed it, and if the security given for it be outstanding, ought he not apply the produce to the repayment of that sum? I will venture to assert there is no man who will say that that is not the honest way of applying the money? Why, then, should it be applied differently? The right hon. Gentleman proposes to apply it in a way that will enable him to make up the deficiencies which his proposed reductions will create, and in my opinion he is not justified in doing so. I come now to the Budget of the next year. The right hon. Gentleman says that with respect to the year 1854–5, the loss on malt will be 1,700,000*l.*; on tea, 567,000*l.*; on hops, 120,000*l.*; and on shipping, 100,000*l.*; making, with the 600,000*l.* for defences, a total loss of 3,087,000*l.* In telling us how he will meet that, he says in all probability—and I hope in that expectation the right hon. Gentleman will be justified—the grant for the Kafir war will entirely cease. On that ground he takes credit for 200,000*l.*, making the surplus 1,810,000*l.* He takes the same sum for repayments as before, he takes credit for a sum of 310,000*l.* the amount to be saved within that year by the reduction of 3¼ per cents, and calculates the increased house tax at 1,000,000*l.*, making the Ways and Means amount altogether to 3,520,000*l.*, to meet the sum of 3,087,000*l.*, again leaving a surplus which entirely depends—even if all his other figures be right—on the application of money that has been borrowed. I ask if the right hon. Gentleman the President of the Board of Control has looked into the Budget, and if he can say, with a knowledge of the facts, with a regard to the public credit—having an intimate acquaintance with all matters of this kind—knowing the state of prosperity the country is in, and the amount of revenue we now have—that any man is justified in proposing, as Chancellor of the Exchequer, that the whole of the surplus should be created by a loan, not only this year, but two consecutive years, and I know not how much longer? In assuming this to be the result for 1854-5, I am assuming that the calculations which the right hon. Gentleman has made with respect to the produce of his taxes are correct. I think, however, I can now show that he is not justified in the calculation he has made. With regard to his calculations as to the loss on tea, I will not refer, as I do not mean to differ with him about small sums, and he no doubt may get the amount on tea that he anticipates; but I cannot agree with the right hon. Gentleman when he says that, in the second year, when the repeal of one-half of the malt duty has come into operation, the loss will only be 1,700,000*l.* The entire duty being 5,000,000*l.*, the first loss of course by the repeal of one-half will be 2,500,000*l.* The right hon. Gentleman calculates that in one way or another, 800,000*l.* of that loss will be recovered, so that the actual loss will only be 1,700,000*l.* Now, I apprehend that a portion of that increase—the right hon. Gentleman will correct me if I am wrong—will be derived by taking away the drawback from the Scotch distillers, which will not be very agreeable to that body, who were such good friends to hon. Gentlemen opposite two years ago when they were constantly seeking to put the Government in a minority on the questions of warehousing home-made spirits. This may amount to 200,000*l.*, and it appears from the right hon. Gentleman's calculation that a sum of 600,000*l.* is left to be made up by increased consumption. Now, I do not believe that the increased consumption will take place which the right hon. Gentleman anticipates, and I will give you the reasons why I think so. I entirely differ from the calculation of my hon. Friend the Member for the North Riding, and I am not going to base my calculations upon any opinion of my own, or upon what I heard from brewers here, or alehouse-keepers there, but upon facts that are before the House, and upon the evidence of one of the most able men in the country before the Lords' Committee on the Burdens on Land. This is not the first time that a proposal has been made to reduce the malt tax, or indeed that the malt tax has been reduced; and it is a most remarkable thing that the reduction of the malt tax does not seem, in many cases, to have increased the consumption. The malt tax was reduced from 4*s.* 5¾*d.* per bushel to 2*s.* 5*d.* in 1816, and the consumption of malt fell off from 26,000,000 of bushels to 20,000,000 in 1818. In 1819 the duty was increased, and the consumption increased. In 1821 the duty was reduced, and the consumption was still to a small extent increased; but the most extraordinary reduction was made in 1830, when the right hon. Gentleman the Member for the University of Cambridge reduced the beer duty. I remember that he did everything that he could at that time to increase the consumption of malt. The Excise Duty on beer was reduced, the licence system was extended, and everything was done to increase the consumption of beer and therefore of malt. There was a reduction of the war duty to the extent of two-thirds on medium, and nearly three-fourths on the highest description of beer, and no doubt some increase of consumption took place. The consumption was increased from 25,000,000 to 30,000,000, 31,000,000, 32,000,000, and 33,000,000 in the following years. But when we come to the years 1841 and 1842, we find the consumption dropping off after the reduction of the duty. [An Hon. MEMBER on the Ministerial benches: There was five per cent increase.] But the increased population would have more than compensated for the increase of duty. I shall now call attention to the evidence given before the Lords' Committee by Mr. Charles Barclay on this subject. Taking the reduction of the beer duty in 1830 at 10*s.* per barrel, and that the reduction made by the brewer was 12*s.* per barrel, which made a reduction of 1*d.* per quart, Mr. Barclay, in reply to a question by the Committee, says the result was, that so far as his brewery was concerned, the consumption increased about one-third. But it is obvious from the figures I have just stated that the increase throughout the country at large was nothing like that. Mr. Barclay goes on further to say that the repeal of the whole malt duty would be equal to one halfpenny a quart; and on being asked if it would be fair to say that the consumption would be increased one-sixth, he says, I think it would. The result, therefore, of reducing the malt duty to one-half the present duty, would cause the consumption to be increased one-twelfth, and would be equal, I believe, to a farthing a quart, and I don't think, therefore, that there is the slightest reason for supposing that the proposed reduction will increase the consumption to anything like the estimate of the Chancellor of the Exchequer. The increase, according to Mr. Barclay's calculation, will be 200,000*l.*, and not 800,000*l.*; and by giving the right hon. Gentleman 200,000*l.* for the malt drawbacks in Scotland, he may recover 400,000*l.* of his loss, whereas he calculates that he will recover 800,000*l.* If the income tax passes in the way he proposes, there will be a loss of 150,000*l.*, and this is the result of the second year's Budget. The right hon. Gentleman has a surplus as he states it, merely consisting of a loan, and he has calculated receipts beyond what he is justified in expecting to the extent of about 500,000*l.* I have stated to the Committee the grounds on which I have come to this conclusion, and they are in a condition to judge of their soundness; but suppose I am wrong by 200,000*l.* or 300,000*l.*, the right hon. Gentleman is still in a deficiency, and a deficiency wilfully created by his own legislation. I contend that we are not in a state in which it is safe to tamper with the revenue; and I think that this is ground enough for hesitating before we accede to the proposition of the right hon. Gentleman. And if I can at all guess what the feelings of this House are, as manifested by their votes the other night, on the necessity for increasing the defences of the country, I think hon. Members will feel with me. The strength of this country lies not so much in her military power as in her boundless credit, and we ought to pause before we sanction a course so destructive of the real essence of our means of defence. I now leave the figures of the Chancellor of the Exchequer, having shown, I think, their utter fallacy, and I come to the principle of his proposals. We were told by the Member for the North Riding (Mr. Cayley), that we were to have some wonderful financial phenomenon. It was thought, as the Member for Cambridgeshire told us, that the right hon. Gentleman the Chancellor of the Exchequer had some scheme by which everybody would be blessed with an abundance of money, which would put money into everybody's pocket, and take none from anybody; but it now seems that money will be taken out of many of our pockets, and that nothing will be put into those of other people. Now I am disposed to bear my willing testimony to the eloquence and ability with which the right hon. Gentleman introduced his financial scheme to the House; but what is the wonderfully new principle of finance which distinguishes the Budget of the right hon. Gentleman? It may be right or it may be wrong; but where is the novelty, where is the wonderful discovery which charms the hon. Member for the North Riding? It is simply that which has been done before. The right hon. Gentleman reduces indirect and increases direct taxation; but is there anything wonderfully new in that? I will not enter into any discussion of their respective merits. I will confine myself to the more practical view of the subject, and I say there is this fault, that with regard to indirect taxes with one exception, the taxes dealt with are ill-selected and ill-handled, and the right hon. Gentleman deals with direct taxation so as to make it needlessly oppressive. I approve of the right hon. Gentleman's proposition with regard to the tea duty. I think he was right in dealing with the tea duty, and in the mode in which he proposed to deal with it. I do not enter into the precise detail. I do not wish now to differ on the less important points. Two years ago, I myself had in contemplation a proposal very similar to that of the right hon. Gentleman. But I thought under the then existing circumstances, that the window duty—considering the influence it had upon the health and the well-being of the community—had a claim to preference over the tea duty, whilst I thought the next tax which ought to be dealt with was the tea duty. But the tea duty stands on quite distinct and independent grounds from the duty on houses, and the other taxes now proposed to be dealt with. I come now to the right hon. Gentleman's proposal with regard to the duty on hops; and in dealing with this duty the right hon. Gentleman seems to have committed as many blunders as it was possible to commit in so small a space. The present duty is *2d.* a pound, and the right hon. Gentleman proposes to reduce it one-half, and then he adds *5l.* per cent. Now, why, in Heaven's name, are we to be troubled with this *5l.* per cent? It was a reasonable proposition enough when the right hon. Member for Portsmouth dealt with all the duties, customs, excise, and taxes, to raise them all *5l.* per cent or *10l.* per cent as the case may be; but in the instance of every duty which has been altered since 1841—certainly in all those which have been altered during my tenure of office—I have omitted that inconvenient fraction of *5l.* per cent. I have reduced the timber, the coffee, and the copper duties, and I invariably omitted in every one of them the *5l.* per cent, and I stated in simple figures what the duty was to be. The right hon. Gentleman said it was impossible to maintain a prohibitory duty, or more than a countervailing duty, which would do more than put foreign articles on a fair footing with British similar articles; and he has, as nearly as may be, calculated his duty on foreign malt on that principle. But what has the right hon. Gentleman done with hops? The duty on British hops is *10s. 1d.* per cwt., including the 5 per cent; and though *12s.* a cwt. would be, with the excise restrictions, a more than countervailing duty, the right hon. Gentleman, professing the principle of unrestricted competition, proposes a duty of *1l. 2s. 6d.*, or a protection of 100 per cent. But, I ask, is it worth while dealing with this hop duty as you propose to deal with it? There may be reason in taking off half the malt tax, because the half that remains is worth preserving; but is half the hop duty worth retaining? You have all the excise restrictions and all the inconveniences, and the whole duty preserved is *120,000l.* Now if there be a sound principle with regard to an excise duty it is this, don't maintain an excise duty unless it brings a considerable accession to the revenue. At present this is a close monopoly; the duty is practically a prohibitory one now, as it will be if the hon. Gentleman's proposal is carried. If you pass your law as it is proposed, you contravene your own principles, and do not benefit the consumer. If you merely put on a fair countervailing duty, the producer will not thank you. Either leave the duty alone, or repeal it altogether. Now, we come to the malt duty; and I must say I was not a little surprised at the remarks which fell from my hon. Friend the Member for the North Riding. My hon. Friend enlarged on the wonderful oppression and hardship inflicted on the maltster, and the enormous cost at which the malt duty was collected. My hon. Friend seems to know very little about the subject, and I would remind him that some time ago there was a Commission of Inquiry into the whole matter, two of the Members of which were Sir H. Parnell and Mr. Wickham. Let me read what their opinion was of the malt tax. They say, in their fifth Report—

> "We do not conceive that it can be shown that any actual tax is less objectionable than the Malt Tax. We believe that the paying of it is less felt and less obnoxious than the paying of any other. Besides, no other tax is collected at so small an expense in proportion to the revenue derived."

My hon. Friend may, perhaps, still insist on the hardship inflicted on the maltster; and I will read the evidence of a great maltster and practical man, taken before the Lords' Committee in 1846 on this subject—I mean Mr. Taylor, of Bishop Stratford.

Mr. CAYLEY: The maltsters and brewers are the great monopolists.

Sir CHARLES WOOD: Mr. Taylor says, in reply to a question put to him—"We have almost had all the restrictions removed some years ago, and the higher class of manufacturers have been from that time quite satisfied." I must say, therefore, I think my hon. Friend is entirely mistaken in the statement he has made to the House. Now, I am much inclined to believe, with the hon. Member for Wakefield (Mr. Sandars), that if half the Malt tax be reduced, looking at the small amount it is possible to reduce in the price of a pot of beer, the maltster and the brewer between them will pocket the whole of that small amount. It would be no doubt a remarkably agreeable thing to Chancellors of the Exchequer if they could do without revenue at all; but since that is impossible, all that we can do is to retain those taxes which are the least objectionable and the least expensive in their collection, and certainly one of the least objectionable is the Malt duty. Now, there is a protective duty on timber: that might be reduced with great advantage; and I am anxious to know whether the hon. Member for Cambridgeshire would vote for the proposition of which notice has been given by an hon. Member (Mr. Ewart), for reducing the duties on butter and cheese. Those duties raise the price of the articles far above the amount of the duty; but the Malt tax does not, and they are avowedly protective duties. The Chancellor of the Exchequer might deal with the soap duties, remove some of the inequalities of the assessed taxes, or reduce various duties more beneficially than the Malt tax. I will not, however, occupy time with any suggestions of my own. I have shown how unwisely he has dealt with indirect taxes. I will now proceed to consider how he deals with direct taxation; and this I think he has done as ill, and I should say this even if I was the most devoted admirer of direct taxation—if I went so far as my hon. Friend the Member for West Surrey (Mr. H. Drummond), who would carry direct taxation to a point which would make it intolerable. Indeed it seems to me that the right hon. the Chancellor of the Exchequer must have taken a lesson from my hon. Friend the Member for West Surrey, for his object would seem to be to make direct taxation as intolerable as possible. He proposes to bring the income tax down to 100*l.* on incomes derived from professions, and to 50*l.* on incomes received from property, to extend it to the funds and salaries in Ireland, to make a distinction in the rate on different schedules, and to extend and double the House tax. Now, how often have we heard from those benches opposite that the Income tax was justified only by the necessity of the circumstances under which it was imposed? How often have hon. Members opposite urged that it ought to be a temporary tax—that it was imposed as a temporary tax—and that it ought to be considered as such? What was the last vote which the party gave under the advice of the ablest financier they have on their benches, my right hon. Friend the President of the Board of Control? That the first surplus revenue should be devoted to reducing the Income tax. And these are the men who, in a state of prosperity, with no financial difficulties except those which they create themselves, propose to extend to the poorer classes the taxes which they themselves consider so obnoxious. What say you to the small owners of land? Take schedule A, the owners rented at 50*l.* or 60*l.* a year. I remember when a right hon. Friend of mine, the President of the Poor Law Board, moved for some consideration of the alleged agricultural distress, that he stated—and I agreed with him in that statement—that the large owners of land were not the persons suffering from the depression of agriculture. He said that those who suffered were the small owners, the men who were as much in debt as the large owners, but who had not, like them, the capital either to improve their land, or withstand the shock. These are the people whom you are going to bring under taxation. The man rented at 50*l.* per annum will have to pay 1*l.* 10*s.* Property tax, and he will be fortunate to escape a House tax also. Very few farmers pay the House Tax now, but by this measure you will bring every decent farm-house throughout the country under the operation of the tax. What say you to the schedule under which the poor widow or the small trader of 60*l.* or 70*l.* a year is rated? You tax them for the first time, to the Income tax and House tax too, and yet you say your proposition is just and equitable. What do you say to the Irish part of your scheme, in which you tax the fundholder in Ireland, while you leave the great landed proprietors untaxed? Yet this is what you call justice. The Irish fundholder is to be taxed, as well as the person who receives a salary, while the great landed proprietor is untouched. And why do you do this? You say that it is because you will have no exemptions. And have you no exemptions? What say you to this very case of Ireland? The Chancellor of the Exchequer put it in the foreground as the first great and monstrous exemption. He stated that it had been intended that Ireland should in spirit duties and stamp duties pay 400,000*l.* as a fair equivalent for her contribution to the income tax. He stated that Ireland only paid in reality 16,000*l.* per annum; and he dilated on this great exemption. All the House supposed that he was going to remedy what he seemed to consider so great an injustice, and then he ended by proposing to tax Irish funds and Irish salaries to the extent of 60,000*l.* There are a certain number of Irish representatives, some of whom the right hon. Gentleman perhaps thought might be conciliated with so much moderation. Do they suppose that if this is carried that the Irish landholder will escape? The proposal is to put in the narrow end of the wedge, and an Irishman is less wise than I take him to be if he is gulled by such a proposition. I do not think it wise to extend the income tax to Ireland. I think you have put on Ireland burdens enough in her present state, and it is wise for us not to press her down with additional taxation. I do not say that the time may not come when it will be right to extend the income tax to Ireland. But I say the time has not yet arrived, and that it will be unwise not to endeavour to develop the resources of the country. When I last renewed the income tax, I expressed my opinion that considering the large burthen recently imposed upon Ireland in the shape of rates, and her depressed condition arising from the calamities of late years, it ought not to be extended to Ireland. I thought that in her circumstances she could not bear additional taxation. I think so still. I would also observe to those English and Scotch Members who complain of the inequality of taxation between Great Britain and Ireland, that in another way an approximation has been made to equality, namely, relief from taxation in Great Britain which did not extend to Ireland. I repealed the duty on bricks, which was not paid in Ireland. I reduced 1,200,000*l.* per annum in the window tax, which was not paid in Ireland. We have received extensive relief from these two measures, and so far, therefore, the taxation on the different parts of the kingdom is more equal than it was. Well, Sir, I say further that the imposition of a tax upon the Irish fundholder is a breach of faith. You tax funds paid in Ireland, and you do not tax the income derived from land in Ireland: that is contrary to the provisions of the Act as regards the fundholder. Indeed, the same breach of faith extends to further parts of your scheme. I will not now go into the question of different rates of duty on temporary and permanent income; it is not necessary to raise that question, and my views upon it are sufficiently well understood. But I say, that as you have imposed the tax in this scheme, there is a direct breach of faith. You impose a duty of 7*d.* in the pound under Schedule C, while you only impose a duty of 5¼*d.* in the pound under Schedule D. Do you know what the properties there are under Schedule D; and, knowing them, have you dared to propose this tax in the shape of your Resolutions? Now what is the most lax interpretation of the Act of Parliament which prohibits you from taxing the fundholders? Why, that at any rate all other property should be subjected to the same rate of taxation as the funds. I say nothing of incomes from trade and professions, I speak only of incomes from property. The hon. Member for Montrose, who advocates most strongly the difference of rate on professional persons, will tell you that I am right in saying this—if you find a permanent income similar in character to that possessed by a person holding property in the funds, it should be taxed at the same rate. By your measure the owner of funded property is taxed at 7*d.* in the pound, while the Irish landlord who spends his income in England is to be taxed at 5¼*d.* per pound. Look at the cases of the Duke of Devonshire and Lord Hertford, receiving large incomes in this country derived from land in Ireland. They, according to your proposal, are to pay 5¼*d.* in the pound. The fundholder is to pay 7*d.* Is their income less certain than his? I tell you this is a breach of faith to the fundholder. Income from Bank Stock is to pay 5¼*d.*; income from the Three per Cents 7*d.* This is a breach of faith. Income from Exchequer bills is to pay 7*d.*;

incomes from foreign possessions, foreign railways, and many foreign securities, 5¼*d.* This is a breach of faith. All this is quite independent of any question between temporary and permanent incomes. You impose a higher tax upon the fundholder than upon other realised property as permanent and secure as the funds, and that is distinctly an injustice and a breach of faith to him. I will now advert to another glaring injustice. Under Schedule B you have managed to exempt from payment every person who does not pay now. I give you credit for your ingenuity in the mode of doing it, but it is no less a fraud. The tenant-farmer's profits are assumed to be half his rent, and he is taxed now only when this amounts to 150*l.*, and you propose to assume his profits at one-third only of his rent, and to tax him only when they amount to 100*l.*

MR. COBDEN: And the person receiving 300*l.* will be brought down to 100*l.*

SIR CHARLES WOOD: The same tenant, therefore, who now pays Income tax, and no other, will pay it under your scheme. You bring under taxation a large class in Schedules D and E who do not pay now, and you do not add a single tenant-farmer who does not now pay. After having extended your tax to persons of all professions, you continue their present exemption to all persons under Schedule B. This is gross injustice. Now I will state a piece of miscalculation pretty nearly as gross. The right hon. Gentleman said that he intended to confer a boon upon the clergy, and that the amount of that boon would be 30,000*l.* Then he explained that he did not mean the whole of the clergy; that he meant the working clergy. Now a relief to the extent proposed of a reduction in the rate of taxation from 7*d.* to 5¼*d.* in the pound, and amounting to 30,000*l.*, represents an annual income of nearly four millions, but the income of the working clergy of 100*l.* a year cannot approach to anything like that sum, or half of it. [Mr. GLADSTONE here made an intimation to the right hon. Gentleman.] I am informed by my right hon. Friend that he said he would exempt them altogether.

The CHANCELLOR OF THE EXCHEQUER: The right hon. Gentleman misrepresents what I said. My statement was simply this—that clergymen of 100*l.* a year should be exempted from the hardship of being taxed under Schedule A, and should have the same advantages as persons taxed under Schedule D.

SIR CHARLES WOOD: I think I am right, for, as I understood the right hon. Gentleman, the clergyman who is under Schedule A will have to pay under Schedule D.

MR. WALPOLE: All clergymen under 100*l.* a year will be exempted.

SIR CHARLES WOOD then continued: I am quite aware of that, he is exempted now, but I will not pursue this minor point. I come now to the last question of the house tax. I have never swerved from my opinion that the house tax is a good one. I should not have proposed it if I did not think so. I do not think, and I never said, that there was any peculiar virtue in a limit of 20*l.* I adopted that limit because I was proposing the house tax, not for the first time, but as a commutation of the window duty, and I did not wish to extend the tax further than would be sufficient to include the houses which already paid the window duty. The better description of shops and houses in towns paid, therefore, about the same sum as they paid under the window duty, and this you propose to double! I do not object to the extension of the house tax. I do not pretend to say that 20*l.* is the proper limit, though I have strong objections to extending the tax to houses of precisely 10*l.* And I must say that I do not agree in the axiom which has been laid down by the right hon. Gentleman, that direct taxation must be as universal as indirect, because, in the first place, it is simply impossible. You cannot impose direct taxation upon the wages of a labourer: he pays his share in indirect taxation. The very authorities on which the right hon. Gentleman relies take this view; and Mr. Mill in particular says that as indirect taxation presses upon the poor more heavily in proportion than upon the higher classes, it is but fair and right that there should be a limit to direct taxation; and he says that the present limit to the income tax is a fair one. I shall not go into that question now—undoubtedly the limit must, after all, be settled by an arbitrary rule, but a limit there must be somewhere to direct taxation. It is impossible that you can raise the whole of your revenue by any one tax. The best way of raising it is by a judicious proportion of direct and indirect taxation, and it is no doubt a very nice and difficult question to adjust the proportions of the two. But there is, I think, the greatest objection to the course proposed. The Chancellor of the Exchequer, while he deals with classes that have hitherto been nearly exempted from taxation, gives them no boon that is equivalent to the taxation he imposes. He does not propose to increase the amount of the income tax by his readjustment. He relieves the large capitalist, the large merchant, and the large manufacturer, by assessing them at a lower rate than heretofore; and he imdemnifies himself for the loss by taxing the less wealthy, in many cases the poor man, who is now exempted from taxation. All tradesmen with incomes between 100*l.* and 150*l.*—all proprietors between 50*l.* and 100*l.*, are now to be taxed, while the large merchant and manufacturer are to have their taxes lowered. That is the boon you offer to the poorer and industrious classes, whom you profess so much to benefit by your Budget; and most of whom you also bring under your new and extended house tax. Well might the hon. Member for Pontefract warn you against the consequences of the call of the tax-gatherer four times a year upon large classes and numbers of persons who have never hitherto paid direct taxes. Indeed, your increase of the house tax seems to me to be utterly needless and indefensible. I am not at all averse to direct taxation within reasonable limits; but with regard to the house tax and all other direct taxes, if you wish to retain them at all, keep them light and popular in times of prosperity and peace, because they are your great resources in times of difficulty. Suppose a war were to arise, you cannot increase your indirect taxation, for that would be to add to the price of imported articles, necessarily raised by the increased freight of war, the further burthen of heavier duties; but you must have recourse to direct taxation, and it is quite fair you should: it is fair and proper, for instance, that the housekeepers of this metropolis should be taxed for the defence of their homes; but if you double the tax now, when there is no pressure, I tell you that you will make the house-tax so unpopular that it cannot be maintained. You are sacrificing one of the great resources of revenue which you ought to reserve for times of pressure—you are imperilling, by a needless and uncalled-for increase, that very direct taxation which you are so anxious to maintain. Sir, I shall not trespass longer on the time of the House. I think that your proposed mode of dealing with the taxation of the country is most visionary and most rash. No one in his senses would attempt in one and the same year to deal with six millions of the tea duties and five millions of the malt tax. No one would attempt in one and the same year to increase two direct taxes—the income tax and the house-duty—and to bring under their operation so many persons who have hitherto been altogether exempted. I, therefore, advise the right hon. Gentleman to take back his Budget, and re-examine it. Give us your reduction of the tea duties: you can do that without increasing our burdens. Give up altogether your house tax and the malt tax. Then you will have a Budget which, as far as taxes go, may be supported. You need not be ashamed to take back your Budget. Mr. Pitt was compelled to do so. You need not be ashamed of doing what he did. Lord Liverpool's Government was reduced to do that, and the right hon. Gentleman cannot pretend that his Government is as strong as Lord Liverpool's was. Take till after Christmas to consider what you will do, for I want you to reconstruct your own Budget. Take the advice of the right hon. Gentleman the Member for the University of Oxford, for it is obvious you have not considered the details of your Budget. Either you know nothing about it, or you have recklessly abused the knowledge which you possess. My hon. Friend the Member for the North Riding talks of the consequences of rejecting this Resolution. For my part I know of no consequences but an amended Budget, and not a Budget which, as it at present stands, imperils direct taxation, tampers with the credit and tarnishes the good faith of the country.

House resumed; Committee report progress; to sit again on *Monday* next.

House adjourned at a quarter before One o'clock, till *Monday* next.

HOUSE OF LORDS,

Monday, December 13, 1852.

Minutes.] *Took the Oaths.* — The Earl of Caledon.

Public Bills.—3ª West India Colonies, &c., Loans Act Amendment; Commons Inclosure.

The House met; and having gone through the business on the paper,

House adjourned till To-morrow.

HOUSE OF COMMONS,

Monday, December 13, 1852.

MINUTES.] PUBLIC BILLS.—1° Designs Act Extension.
2° Land Tax Commissioners Names.

WAYS AND MEANS — THE FINANCIAL STATEMENT—ADJOURNED DEBATE—(SECOND NIGHT).

The House resolved itself into a Committee of Ways and Means; Mr. Wilson Patten in the chair.

Question again proposed—

> "That, towards raising the Supply granted to Her Majesty, from and after the 5th day of April, 1853, the Duties granted and made payable by the Act 14 & 15 *Vict.* c. 36, upon Inhabited Dwelling Houses in Great Britain, according to the annual value thereof, shall cease and determine, and in lieu thereof there shall be granted and made payable upon all such Dwelling Houses the following Duties (that is to say);"—

Debate *resumed.*

MR. DAVISON said, he must claim the kind indulgence of the Committee, as this was the first time of his addressing them, and he would promise not to trespass at any length. He had endeavoured to view the Budget as a whole. He had endeavoured to come to a conclusion upon its own merits. He had not pinned his faith to any one section of its details, but viewing it as a whole, he asked himself—Is it founded upon principles of justice? Is its tendency to promote the general welfare? Is it in harmony with the principle of unrestricted competition which had been affirmed by this House? Does it unloosen any of those fetters which bind that great arm of our national prosperity—the shipping interest; and is its tendency to remove any restriction which fettered the legitimate enterprise of the merchant? He was rejoiced to be able to answer all those questions in the affirmative; and on behalf of the large constituency of Belfast, as well as his own, he begged leave to tender to the right hon. Gentleman who introduced the measure the expression of their warmest acknowledgments. He listened to the development of its details with that undeviating attention which became so important a subject, and he came to the conclusion, at its termination, as he had heard elsewhere, that a man of genius could also be a man of figures. Although the representative of a large commercial constituency, he and his learned Colleague were returned in opposition to able and talented men, by a majority of several hundreds, mainly on two grounds: first, because he and his Colleague asserted their determination to give their unqualified support to the Earl of Derby's Government; and, secondly, because they also expressed their determination to give their support to the principle of unrestricted competition. With respect to the last principle, he conceived that the discussion was at an end—he conceived that the Budget affirmed that principle in all its details, and therefore he had no hesitation in giving that Budget his firm and decided support. With respect to the first principle he gave his support to a Conservative Government, because he should regard any sudden change in the Government of Ireland as one of the greatest misfortunes that could befall that country. He conceived that change would lead to perpetual agitation, and divert the minds of the Irish from those legitimate pursuits, the improvement of agriculture, commerce, and manufactures, and the extension of the industrial occupations of the north of Ireland, to the south and west, where they did not so much prevail. He thought there never was a period when the Irish mind seemed so quieted as at present, and he attributed that mainly to having a firm and decided Government. They had perhaps one of the most popular Lord Lieutenants that ever presided over the destinies of that country. In addition, they had a nobleman of great experience, most approachable to all who had occasion to see him on matters of business, as Chief Secretary—one well acquainted with the details of his office, and an honour and credit to his country. In the next place, they had one of the most able, if not the most able, men at the Irish Bar, as Attorney General—a man who combined with the greatest decision and firmness of purpose the greatest gentleness and amiability of conduct. They had in addition an able and talented Solicitor General. [*Laughter.*] Gentlemen on the opposite side might laugh possibly because the hon. and learned Gentleman had crossed their path, but he saw no imputation on his honour or reputation. He did not mean to trespass more than a few minutes on the Committee. The duty he had taken was mainly at hand, namely, to express not only his own opinion, but the opinion of his constituents, on the subject of the Budget, which, in all its details, seemed to meet their views, to have a tendency to put matters in a right direction, and to give an impetus to the mercantile transactions of the country, which could not fail to be highly beneficial. He was no speech-maker, but he would add that the measure of the right hon. Gentleman the Chancellor of the Exchequer should receive his warm support.

Mr. COBDEN: Sir, if the hon. Gentleman who has just sat down had offered one word of argument in reply to the speech of the right hon. Gentleman the Member for Halifax (Sir Charles Wood) on Friday evening, I should have felt it my duty to have recurred to the topics he then urged; but as the hon. Gentleman has not ventured to grapple with that speech, the statements contained in it remain unanswered, and that relieves me from the necessity of touching on the principal parts of the Budget of the right hon. Gentleman the Chancellor of the Exchequer. I wish, however, to refer to one part of the speech of the hon. Gentleman who has just sat down. He represents the city of Belfast; and on a question which touches the taxation of the people of England, I think he would have exercised a sounder discretion if he had remained silent. By the obtrusive activity of the hon. Gentleman, attention is directed to that on which I should not have observed if he had been silent—that the question does not touch his constituents. The hon. Gentleman is an illustration of the evil of what is called an United Kingdom which is subjected to different modes of taxation in its different portions. We are now discussing the question of the house tax, and the hon. Gentleman cordially concurs in the proposition which has been made. Now, it is a house tax for England and Scotland, and the city of Belfast has no interest whatever in the matter. We are going to deal with England—the hon. Gentleman has only himself to thank for any remarks I may make—and the hon. Gentleman is about to give his support to an income tax which is to be levied upon the trades and professions in England, and on my constituents in Yorkshire, and upon the manufacturers of linen yarn at Leeds, and Barnsley. I take this to be an illustration of the evils and absurdities of the system. There are in Belfast, as every one knows, establishments for the manufacture of linen yarn and linen cloth, which enter into competition with establishments for a similar manufacture possessed by my constituents in Leeds and in Barnsley. In Belfast labour is cheaper, the raw material is cheaper, capital is quite as cheap, and there is little difference in the price of coal. Now, my constituents in Yorkshire pay to the Government 3 per cent on the profits of their manufactures, while the constituents of the hon. Gentleman, who are engaged in the same trade, are exempt from that tax. Is it not evident that my constituents labour under a great disadvantage in competing with the constituents of the hon. Gentleman?—and, since he has entered into this discussion, I put it to him whether he will be ready, by-and-by, to agree to a proposition which is threatened to be made by my hon. Friend the Member for Marylebone (Sir B. Hall), to extend the same income tax to Ireland as it is to be levied in England? I leave the question to the consideration of the hon. Gentleman.

With reference to the question which is immediately before the Committee, I will observe, that in some remarks which were made by an hon. Gentleman on Friday night, who spoke before the right hon. Gentleman the Member for Halifax, it was stated that somebody on this side of the House objected to the Budget, because it created an addition to the direct taxation of this country. The hon. Baronet the Member for Hertfordshire (Sir Bulwer Lytton), and the hon. Gentleman the Member for Cambridgeshire (Mr. E. Ball), threw out such taunts as these against the free-traders, and said, "Now we will put you to the test, carry out your own principles now that we are all free-traders." Now, I am prepared to answer the challenge thrown out with regard to the promotion of direct taxation. I say, on the part of the free-traders, that we do not object to direct taxation, where, in the first place, it is shown to us that it is levied equally on all descriptions of property, and where, in the second place, it is shown that a direct tax is one which will prove beneficial to all the interests of the country. But we do not recognise any right on the part of the representatives of the agricultural districts, or any claim arising out of free-trade, which entitles them to levy a tax on some particular kind of property in the towns, in order to relieve certain kinds of property in the country from taxation, for that would be a one-sided, partial, and unjust system, and just the kind of system which we have been struggling for the last fourteen years to get rid of by the abolition of the corn laws. It would be, in fact, adopting the odious principle of compensation. Our first answer to the taunt from the other side of the House, is, that we do not recognise, on the part of Members representing the agricultural districts, any grievance or losses incurred by them which entitles them to ask anybody else to submit to taxes which they do not pay themselves. Hon. Gentlemen opposite seem to doubt this very point themselves. The hon. Baronet the Member for Hertfordshire (Sir Edward Bulwer Lytton) says, that a great deal depends on the way in which relief is granted. "Do it graciously," he said; "even if you don't grant that the farmers are distressed, still they think they are, and therefore give them something, in the way of the abolition of the malt tax, which may console them." This is a very sentimental way of dealing with a great question which involves a sum to be counted by millions, and one which I do not understand. I deny that there is any distress which entitles them to ask for compensation. I had a note the other day from one of the most enterprising and intelligent farmers in the East Lothians, which I will read to the House, as I believe it will afford not a bad explanation of the condition of the farming world in general. He says—

> "The farmers of the Lothians of Scotland, essentially a wheat district, never were, as a body, in a more flourishing condition; and the demand for land, in consequence, is beyond all parallel for the last 30 years. Every farm that is to let brings an advanced rent of from 10 to 30 per cent. I have four years of my lease to run, but have made a new arrangement at an increased rent of 15 per cent, which I begin to pay immediately, and I have always one-fourth of my land in wheat. Two farms have been let in this parish within the last six months at a similar advance to my own, and an adjoining farm, belonging to the Marquess of Dalhousie, is at present to let, the factor being in London with the offers in his pocket to show to his Lordship's commissioners; and I know for a fact that first-rate tenants, men of capital and skill, have offered 30 per cent increase on the rent which the farm was let 19 years ago, when it was advertised for six months and then let to the highest bidder. My brother took a farm last week adjoining the one on which he resides of 225 acres imperial, and for which he pays 20 per cent increase of rent. Sheep farms have brought higher additional rents; but I have said enough to show you that any talk of agricultural distress is sheer nonsense, and for myself I have done, and am doing, as well as I could possibly desire. One of the principal reasons for this is, that where land is properly drained, by a liberal use of guano and other artificial manures, the crops have been increased one-half at least, and every acre is made to carry as much corn as can stand. It costs me upwards of 700*l.* per annum for artificial manures, on a farm of 650 imperial acres. I know several farmers whose outlay in proportion is greater; but then, in place of four quarters of wheat per acre, we have now six or seven quarters, and other grains in proportion; while root crops are also much heavier, and their value per ton is as great or greater than ever—thanks to the numerous consumers of butchers' meat."

I mention this in the outset, because I have observed in the papers this morning a letter written by a Member of the Cabinet—["No, no!"]—but if he is not a Member of the Cabinet he is an exponent of the policy of the Ministry—and he states to his constituents, that although the Government do not intend to propose a return to protection, yet that they do intend to propose compensation, and that the Budget is the first step towards it, and that the repeal of the malt tax is peculiarly a measure of relief to the landed interest. If such is the case, I say that we are entering on the old controversy between town and country—and you compel us to go into this controversy in a spirit that I thought was never to have been revived. An hon. Gentlemen opposite says, "Carry out your principles of direct taxation with regard to the duty on soap and on paper." I say that I am ready to carry out direct taxation if you propose a tax which shall be equitable, and levied on all kinds of property alike; but my objection to the Budget is, that it does not carry out direct taxation fairly and equitably. The proposal now made with regard to the house tax is most unjust. What do you propose? You have already imposed a property tax of 3 per cent on all land and on all houses. You next go to Schedule A, and you lay an additional house tax of ninepence in the pound, or $3\frac{3}{4}$ per cent, making the tax on houses to be at the rate of $6\frac{3}{4}$ per cent as against 3 per cent on land. Then you say, "We want more money by direct taxation," and you come with your scheme of compensation, or rather, I should call it spoliation, and you go to Schedule A again, and select houses, and lay on another ninepence in the pound, or another $3\frac{3}{4}$ per cent, thus making the tax $10\frac{1}{2}$ per cent on houses as against 3 per cent on land. But that is not all; for we all know that in making an assessment on real property and on houses, you assess houses at a much fewer number of years' purchase than you do land; for land is usually assessed at 30 years' purchase, while houses are only assessed at the utmost at fifteen years' purchase; and therefore, if you levy the same rate of taxation on both of them, you cause a double pressure of taxation upon houses as compared with land. If you invest 1,000*l.* in land, and 1,000*l.* in houses, while the one is assessed at 30 years' purchase and the other at 15, if you lay the same tax on both of them, it is in fact double on the sum invested in houses, making in the whole 10½ per cent, and that brings the whole amount you levy on houses up to 21 per cent, and that is what you propose to levy on houses as against 3 per cent on land. That is a great injustice on the part of the Government, and the House will do wrong even to attempt it; for even if it is carried by a majority, do you think you will ever be able to maintain it? Do you think that the intelligent people of the towns will ever submit to it? Do you think that those centres from which radiate the light and intelligence of the country— ["Oh, oh!"] Why, whence do you get your literature and your science? Is it not from the towns? I never heard that we went into country hamlets to seek for such things. I say if you pass such a law you cannot expect it will be submitted to, and it will be the worst thing that could happen for you, for you will revive the old controversy between town and country—but not in the old form, when hon. Gentlemen opposite could say it was a contest between cotton lords and landlords—but they will have every little market town taking sides against them, for they will all see the injustice that is practised on the owner of house property. Your argument is that this house tax would be a tax, not on house property, but on rents. I think, myself, that this, as well as every other tax, would ultimately be felt more or less by everybody. But at all events, as regards the great proportion of house property, it can be clearly shown that you tax the owners as well as the occupiers, inasmuch as there are a large number of houses in the towns which are owned by those who live in them. Let the House see how the tax will work. You have benefit building societies whereby frugal mechanics and humble tradesmen manage in the shape of weekly payments to get together sums of money sufficiently large to build or purchase houses for themselves, and many of these houses would be generally 10*l.* houses;—and in future they will be still more numerous than they have been, for I am glad to say the saving character of this class of society is increasing, and they are now happily bent on improving their dwellings. Well, what kind of justice is it to meet these men immediately that they have accumulated as much savings as enables them to become possessors of small houses, with this inordinate taxation? Your notion of justice is to say that they shall pay at the rate of 21 per cent on their investment, in proportion to the 3 per cent which is all that is paid by the owners of the large landed estates. Take another example. Look at the vast landed property in the metropolis owned by noblemen who let it out on building leases. Take Belgrave-square, for instance. You would find houses built there on land held on a 99 years' lease, and at a ground-rent of about 50*l.* a year for each house. Well, the person who had put the bricks and mortar on the ground, or who has bought it, is subjected to this direct taxation, but it does not reach the ground landlord. He carries off his 20,000*l.* or 30,000*l.* a year, and is left untouched. Is there any justice in that? Let me remind you, further, that the householders in towns are subjected to very heavy charges of another kind: to a vast number of local charges, not only for the support of the poor, but for police rates, for highway rates, for lighting, and for every description of impost; and bear in mind that inequality of the pressure of the rating which I alluded to before—that the smaller number of years' purchase that this house property is rated at, presses with equal severity on the owners of that property in assessing it for the local rates, as in the case of the property and the house tax. Not only therefore has this property higher general taxes to pay—proportionally—but it has higher taxes to pay for local purposes. You cannot expect a system of direct taxation which would work like this, can ever be carried out. And what is this direct tax to be laid on for which we are now discussing—for it is the house tax which is now before you? It is to be laid on for the purpose of enabling us to remove one half of the malt tax? The right hon. Gentleman the Chancellor of the Duchy of Lancaster (Mr. Christopher) has stated, with his usual frankness, what the object of it was. He tells us that the Government are about to take off one half of the malt tax for the benefit of the land. The Chancellor of the Exchequer, however, tells us that he makes the proposition in the interest of the consumer. Well, which are we to believe? I certainly think the Government would do well to come to some understanding with respect to their principles, or, at least, if they cannot agree, that one or the other section of them should engage to be silent. My idea of the malt tax is precisely that of the Chancellor of the Exchequer; that it is a tax paid by the consumer, but, that, undoubtedly, as with all taxes laid on a commodity we produce, the producer is subjected to inconvenience and to loss by it. The illustration which the right hon. Gentleman gave is precisely analogous. The cotton printers protested against the 3½*d.* per square yard duty on printed cottons, because that duty tended to hamper them in their business, and to diminish the consumption of their goods. I quite agree, therefore, with the right hon. Gentleman, that the consumer will primarily be benefited by the remission of the malt tax, and also that the producer will be benefited, although to a small extent comparatively. But I have always understood that the great grievance of this tax consists in the Excise regulations which it imposes. This does not affect the farmer, it is true; but in one way it does affect him. An intelligent farmer with whom I have the honour to be acquainted—one who has been a free-trader from the time the Anti-Corn-Law League began its agitation—I mean Mr. Lattimore, of Herefordshire, a person who is a model-farmer, and admitted to be so by all his neighbours—Mr. Lattimore was the first who converted me to the importance of repealing the malt tax, on the ground that it would enable the farmer to feed his cattle with malt. How far this is a valid ground I cannot say; but I have so much faith in Mr. Lattimore's judgment, that I believe it to be a valid ground, and I have always considered the claim of the farmer to the repeal of the tax to be founded upon that fact, if it be a fact. I have, therefore, publicly stated, that if we could by any means produce the necessary revenue without the malt tax, I would advocate its total remission; but I have at the same time always said this, that I would never be a party to imposing a substitute for the malt tax. I don't know that you could point out to me any tax, however little objectionable in its form, which I would substitute instead of the malt tax, if the amount of revenue it produces is indispensable. And I am not less strongly opposed to removing only one-half of the malt tax. I voted some two years ago against the proposition of that kind of my hon. friend the Member for Derby (Mr. Bass). My objection to the remission of one-half the malt tax is on principle: I won't agree to halve an excise tax, especially the malt tax. I object, independent of my objection to the way in which you propose to make up the deficiency. As the right hon. Gentleman (the Chancellor of the Exchequer) has put the case—as the case merely of the consumers—it is open to objections of a serious kind. The right hon. Gentleman says that beer, like bread, is a primary necessary of life; and that idea has been complacently repeated by all the hon. Gentlemen who have spoken on that side since—that it is a necessary of life, indispensable to the health and strength of the labourer. Now, the fact is, that there is a wide difference of opinion on that subject; and I have repeatedly said, both in this House and out of it, that the great difficulty you have to meet in dealing with the malt tax is, that there is a large, a growing, and an influential body in this country—some of them very fanatical, too—who hold the opinion that beer is not only not a necessary of life, but that it is a very pernicious beverage to the individual, indulgence in which leads to the infliction of serious evils on the community. You think they are wrong, no doubt; but you have to deal with that class, which, within my knowledge, is a numerous and a highly influential one among our constituencies; and I think that, wrong or right, they are entitled to be heard in this House. This class is not speaking wildly, or without considerable authority; and it may not be amiss if I read to the House what has been said on the subject by certain persons, begging hon. Gentlemen not to give way to any lively emotion until they have heard the names attached to this document. These persons say—

> "An opinion, handed down from rude and ignorant times, and imbibed by Englishmen in their youth, has become very general—that the habitual use of some portion of alcoholic drink, as of wine, beer, or spirits, is beneficial to health, and even necessary to those subjected to habitual labour. Anatomy, physiology, and experience of all ages and countries, when properly examined, must satisfy every mind, well informed in medical science, that the above opinion is altogether erroneous. Man, in ordinary health, like other animals, requires not any such stimulants, and cannot be benefited by the habitual employment of any quantity of them, large or small; nor will their use, during his lifetime, increase the aggregate amount of his labour. In whatever quantity they are employed, they will rather tend to diminish it."

Now that is a very strong opinion, and that "opinion" is signed by upwards of seventy of the principal medical men of the kingdom; amongst whom I find the great names of Sir Benjamin Brodie, Dr.

Chambers, Sir James Clark, Mr. Bransby Cooper, Dr. Davies, Mr. Aston Key, Mr. Travers, and Dr. Ure. I think that after having got such a declaration as that, I am entitled to say that this question—whether an increase in the consumption of beer would increase the health and strength of the people of this country—is, at least, an open question; and in this direction, therefore, I claim leave to differ with the Chancellor of the Exchequer and his friends. And observe that this increased house tax would fall on very many thousand professors of "temperance," and that some of you avow your object, in imposing that tax, is to cheapen the price of beer. The "teetotallers" among my constituents would naturally say, "We don't want to be relieved from the malt tax; we have already repealed it, so far as we are concerned; we are trying, by tracts and lectures, to induce our fellow-citizens to imitate us; and we think your Budget unjust, and we won't have it;" and, more than that, they believe that the consumption of malt is pernicious to the interests of society, and take pains to persuade their fellow subjects that it is so—and yet the Government ask them to submit to the house tax, in order that beer may be cheapened, and that a greater consumption of it may be occasioned. Had the Chancellor of the Exchequer put his proposition on any other ground—on the scientific ground that the malt tax was a nuisance to the trader, and that it prevented the farmer giving desirable food to cattle—all the principles of political economy would come to his aid, and we would be compelled to acquiesce in the project. But as it is the obstacles you have to encounter are twofold: first, that you substitute a partial tax not levied equally on property generally; and next, that the malt tax is to be reduced for a purpose to which the great bulk of the people are indifferent, and to which hundreds of thousands—I have heard them estimated at millions—are wholly opposed on strong grounds of moral principle. Such being the case, I don't think you have the least chance whatever of passing a house tax. I don't know what a present majority of this House may do; but I can tell you you can't maintain that tax if you do pass it. You have seen lately with the window tax how long-lived is an agitation against an unjust impost; and, depend upon it, you are embarking in a contest out of which you will come as disastrously as you have done out of the battle for protection—with this difference, that you will be far more easily beaten. And what is more—you are going to fight a battle not worth fighting for. I can hardly bring mysslf to regard this as an attempt at compensation. I did not want to allude to the thing; but the statement of the Chancellor of the Duchy of Lancaster does not leave me a chance of passing it over, and I've been obliged, in some respect, to deal with it in that manner. There is another proposal in connexion with this subject, in regard to which I think the Chancellor of the Exchequer has really quite wrecked his character as a financier; and that is the proposal to remit one-half of the hop duties. I have often had communications with the growers of hops in Sussex, who have represented that they wanted the whole duty off, but have expressed apprehensions in consequence of the Kent hop-growers advocating only a removal of half the duty; and I have comforted them in this way, "Don't alarm yourself for a moment; for after the great doings of Peel we shall never have a half-and-half Chancellor of the Exchequer making two bites at a cherry." Here is a most exceptional tax—the only tax you have collected upon the produce in the fields and gardens of the country—worthy, no doubt, of Persia, or of Turkey—but too ridiculous for this England of 1852. How is it collected? Every September the Chancellor of the Exchequer sends a little army of tax-gatherers into half a dozen counties; and every Member of Parliament knows that every spring he is asked by some unfortunate poor fellow to use his influence to get for him this temporary employment in collecting the hop duty. In September the hops are picked, carried, and dried; and the Chancellor of the Exchequer disperses his little army of taxmen over half a dozen counties. They take stock of the hops, and thus an estimate of the tax is got. It comes sometimes to 200,000*l.* a year; sometimes to 300,000*l.*, sometimes to 400,000*l.* a year; hardly ever to half a million. It is a very uncertain tax. Thus it has all the evils that can attach to any tax: it is cumbrous and costly in its collection; it is uncertain in amount, no Chancellor of the Exchequer ever being able to calculate to any positive amount on it; and it bears with most unequal pressure on different parts of the country. In some districts the hops are hardly worth half the price of hops grown in other districts; and as this is a tax on the quantity, and not on the value, of course it falls with the severest pressure on the poorest soils and the poorest quality of hops. Well, is it conceivable that the right hon. Gentleman, after the experience we have had of the great works that some of his predecessors have done—after the corn laws had been abolished, and the vast system of navigation laws had been done away with—could come down to the House of Commons, and, as a great scheme of finance, propose such a mockery, the remission of one-half the hop duties? I hope the House will never consent to such a paltry and trifling policy as this. If no one else will make the Motion, I will myself undertake to propose the total repeal of the hop duties; and even should that not be carried, I will still vote against the repeal of only one-half the tax; for it is far better to keep it as it is, if we cannot get it done away with altogether. With regard to the proposed modification of the income tax, I feel bound to give the Government every credit for the way in which they have dealt with that question. I do say it is most remarkable that a Government supported almost exclusively by county Members—representing territorial interests only—should have been the first Government to deal—at all events in principle, if not going to the full extent—fairly with the income tax as it relates to trades and professions. Most assuredly, that proposal should have come from a Government representing this side of the House. My own opinion is, in spite of all that mathematicians and philosophers may say, that when you are going to levy a tax upon income and property, you must adopt one of two courses—either vary the tax upon incomes, making it lighter than the tax upon property, or take the plan which has been adopted in the United States, and capitalise the whole property of the country, whether it is in land, or in capital or stock engaged in trade—capitalise it all, and levy the same rate on all. Either you must capitalise all in this way equally, or you must make a distinction between permanent property and incomes derived from precarious sources—the practice of professions—the midnight working of the physician, and the daily toil of the lawyer—from trades such as that of a farmer, whose profits depend upon the changing manner in which his capital fructifies on the soil, and the income of a man who sleeps while his property fructifies. I repeat that I must give the Government credit for their intentions to make this distinction; and I am persuaded that if it is not done by them, it must very speedily be done by some one else. But in dealing with this question, the old curse of the party has settled on the right hon. Gentleman, and he could not deal fairly with it; he was obliged to make a miserable paltry attempt to get a special benefit for the tenant farmer. Instead of charging the farmer the tax on one-half of his rent, he proposes to reduce it to one-third. In the time of Pitt the farmer paid on three-fourths; Sir Robert Peel reduced the three-fourths to an estimate on one-half of the rent; and now it was asked to go down to one-third. Well now, really, I will ask hon. Gentlemen—say the hon. Member for Somersetshire (Mr. Miles)—whether they think farming would be worth following as a trade if the tenant-farmer could only get a profit equal to one-third of his rent?—that the income derived from profit and interest on his capital—from profit arising out of his own skill and industry—would altogether only amount to one-third of his rent? Would not it be better for you to say at once, if that is so, he ought not to be taxed on his income at all? But would it not be much nearer the mark to say that it ought to be equal to the whole rent? You are proposing to extend the area of the Income tax so as to embrace incomes of 50*l.* a year from real property, and of 100*l.* a year from trades and professions; and, as a principle, I am bound to say that I do not object to an extension of the area of direct taxation. But I say, too, include all alike within the area—tax every description of income and property. Certainly you are embarrassed in applying the principle; for you have such an amount of indirect taxation, comprising seven-eighths of your whole revenue, and which, no doubt, presses with the greatest severity on smaller incomes, and especially on the labouring classes, that there are large sections of the community who have a claim to exemption from direct taxation. There is, in fact, no other ground on which you can resist the application of the principle, that your direct taxation should be universal. The proposal of the Government is to extend the area of the tax to incomes of 50*l.* on property, and 100*l.* from trades and professions. Let us see how this extension to incomes of 50*l.* and 100*l.* affects the justice of the case, as compared with what you are going to do towards the farmers. I'll put a case: of a farmer with a farm of 250 acres of moderate land, and paying a rent of 280*l.* a year. By your proposal, farmers paying rents under 300*l.* a year, are exempt from this tax altogether, because it is proposed that the tax shall not apply to farmers whose rents are under 300*l.* a year. If the farmer I speak of farms as he should do in free-trade times, he has 2,000*l.* or 3,000*l.* capital. In fact, 10*l.* an acre is not so much as he should have; he would be better with 15*l.*: but at any rate he should have not less than 10*l.* an acre. Here, then, would be a man with a capital employed of 2,500*l.* paying no income tax whatever, the Government assuming that he does not make 100*l.* a year. Let that be assumed. This farmer goes into the market town riding his nag, and looking in fine health and great spirits—and he passes by a lawyer's clerk who gets 100*l.* a year, and who is subjected to an income tax of 5¼*d.* in the pound. The farmer has 250 acres of land, many labourers employed, stables full of horses, sheds full of cows, pens full of sheep, yards full of stacks: and yet the lawyer's clerk pays, and this farmer does not pay, income tax. Now, do not deceive yourselves, do not suppose for a moment that this could last. Is there any judgment or common sense in making such a proposal? Is it not provoking a quarrel with us on the most miserable grounds? You say you want, in this way, to benefit the farmer; but I do believe on my honour, unless the farmers are very unlike the rest of their countrymen, that they will not thank you for putting them in this invidious position. They do not want these special exemptions; they want to be regarded as contributors to the revenue on the same footing as the rest of their countrymen. By your proposal you are widening the operation of the income tax so as to embrace a great number of people who were not included in its range before; you do that on "principle." But you have especially framed your measure so as to prevent any new class of farmers from being brought under the range of the tax. Is it worthy of the territorial party? What do you mean by it? Are you always thus to keep the farmers on your hands as a separate and distinct class? I put it to the farmers—have they not had enough of it themselves? Have they felt it to be their interest to be kept apart, as a separate class, to be made political capital of? I thought the example which had been shown in the last few years, in the case of the farmers, of the way in which they have been most ridiculously bamboozled, would have been enough for them; I really thought it would have had the effect of preventing them or any other class from being made a separate class for political objects. I never thought we should have had a body of men setting up as friends of the tailors, or friends of the grocers, or friends of the shoemakers. I thought that trade would have been kept out of the arena of politics for ever, after the ridiculous way in which the farmers had been bamboozled; and I sincerely hope that this Budget will be modified and withdrawn, and that farmers will be placed on an equality with other classes, and will be made to pay on their profits just the same as other people. I know the objection that is made to that. You say farmers do not keep books, and that, therefore, they cannot give an account of their profits. Well, here is a good opportunity for making them keep books. You cannot do the farmers a greater service than by inducing them to keep books, and to know exactly what they realise in a year. No, Sir, I did not expect that on this occasion we should have had these old grievances revived. The Chancellor of the Exchequer has thrown over local burdens, and we were to hear no more about exclusive taxation of that kind; I thought that we were going to get rid of this farming interest altogether; but it seems to me that hon. Gentlemen have not entirely comprehended their position, and do yet understand what free trade is. It seems to me they have confounded two subjects which are not the same—the question of protective duties and the question of direct taxation. Now they will perhaps excuse me if I give them a little A B C on this matter. I see the hon. Member for Cambridgeshire here. He has not been much accustomed to hear free-trade speeches. I want to show him and other hon. Gentlemen what it is we have been doing. I beg to inform that hon. Member and other hon. Gentlemen on the same side, that the advocates of free trade have not been necessarily the advocates of direct taxation. Direct taxation is indeed a distinct question from that in which we have embarked. We have been opposed to protective duties, and we have said, Give us freedom of exchange with other countries; do away with the restrictions on our commerce, and we do not inquire what the effect of that freedom will be on price; all that we want is to have free access to as great a quantity of these good things as can be got. What is running in the minds of the hon. Member for Cambridgeshire and of other hon. Gentlemen opposite—I believe the hon. Member for Cambridgeshire has shed tears upon the subject—is sheer prejudice on this question — that as free-traders we mean low prices for every thing. Now what we want is abundance. We do not say that free trade necessarily brings low prices. It is possible with increased quantities still to advance prices; for it is possible that the country may be so prosperous under free trade, that whilst you have a greater quantity of anything than you had before, increased demand, in consequence of the increased prosperity, may arise, so that the demand will be more than the supply, and you may raise the price on some articles. In some articles that has been the case; it has been so in wool and on meat, and we do not know yet what effect it may have on wheat itself. But hon. Gentlemen opposite seem always to proceed on the assumption that the free-traders want to reduce prices, and that, therefore, they ought to have some compensation for those reduced prices. And then they talk of competition with foreigners; and the Chancellor of the Exchequer told us that he was going to prepare a Budget which would enable the industrious classes of this country to sustain themselves under the pressure of this unrestricted competition. Now I thought it had been universally admitted that the industrious classes were in a much better position under the competition than they were before under the old system of restriction. I and my friends do not want commiseration for the working classes for the evils which they may have suffered in the progress of free trade, for the working classes themselves declare that they have derived great advantages from free-trade measures. Free trade has, indeed, conferred great benefits upon the community at large, and it is intended that it shall confer upon them still greater advantages. I do not acknowledge, however, that it is necessary to propose any remedial measures to benefit anybody against the evils which are alleged to be caused by free trade. The Chancellor of the Exchequer—who, I think, is not yet very enthusiastic in the cause of free-trade principles—has told them that he had framed a great measure to enable the country to adopt and conform itself to this new system of commerce. Nobody, that I am aware of, has asked the Chancellor of the Exchequer for any such measure. The right hon. Gentleman said that his proposition would cheapen the necessaries of life, and, in the opinion of the Chancellor of the Exchequer, beer seems to be one of the chief necessaries. Well, how does the right hon. Gentleman intend to cheapen beer? By raising the price of lodgings. But are not lodgings as necessary to the people of this country as beer? If we are competing with foreigners, which would lower the price of commodities, I say that to reduce the price of beer, to raise the price of lodgings by putting a tax on houses, is not, after all, a benefit to the people of this country. I do not admit that the people of this country will come *in formâ pauperis* to this House for anything of the kind. The truth is, you have got into a false position by making promises you ought never to have made. You have tried to appear consistent when consistency was impossible. But what I am anxious to do is to see that you do not mix up free trade with any question of compensation. I say the effect of free trade hitherto has been to change a failing revenue into an overflowing exchequer. Free trade has made the people more prosperous, has diminished pauperism and crime, and in every possible way has promoted the prosperity of this country. Do not come to the House and say we must do something to enable the people to bear up under the load of this competition. And then hon. Gentlemen opposite ask us to give a new name to the principle, and to call it "unrestricted competition." I think it is Lord Byron who says a party has a right to fix the pronunciation of his own name; and I think free-traders have a right to put their own name on their own principles. I never insulted you by calling you "monopolists" when you choose to call yourselves "Protectionists;" and do not you go out of the good old Saxon "free trade," and give us this new name—do not call us—I really cannot pronounce it. How can we call ourselves an "unrestricted competition party?" You must adopt our principles, name and all. Now one word with regard to the proposed alteration of the tea duties. I think that is a question which the late Chancellor of the Exchequer ought to have dealt with; and I am sure, that if I had been Chancellor of the Exchequer, I should have done what the present Chancellor of the Exchequer now proposes, four or five yearsa go. I do not think the right hon. Gentleman is far wrong in that proposal; but, on the whole, I doubt whether the Budget is the Budget of the Chancellor of the Exchequer at all. I do not believe, either, that the passage in the Speech from the Throne alluding to this matter, was drawn up by the right hon. Gentleman. I think the Budget has been cut and snipped away, patched, dovetailed, and swapped away—until at last—as in the Queen's Speech, when somebody suggested that an "if" should be put in that all parties might be accommodated, so in this case some one suggested one thing and some another—until at last, all the bold things that were intended were abandoned, and what was left was the proposal which has been submitted to the House. The fact is, that the Budget does not at all correspond to the magniloquent phrases in which it was introduced by the Chancellor of the Exchequer. It was not at all worthy of a five hours' speech. Indeed, I humbly conceive that I could have discharged the duty in about an hour and twenty-five minutes. But the right hon. Gentleman, I suppose, has done his best. And now with regard to this controversy as to the direct taxes. I have long foreseen that this would be discussed. The hon. Member for West Surrey stated the other night that I was consistent in advocating direct taxation, because I have said that such taxation would not be paid, and that then the public establishments could not be maintained. I have never said the taxes would not be paid. I have always had the opinion of the people of England that they would pay their just debts under any circumstances; but I have always said this—if you come to get more of the taxes from the people in the way of direct taxes, they will come to scrutinise the expenditure more closely—and I think so still. The House may depend upon it that we are now entering upon a controversy as to how the imperial taxation is to be raised. When we come to have what the Chancellor of the Exchequer has promised us, the whole of our accounts of the taxation brought into a balance-sheet—even the cost of collection—we shall find that our expenditure is approaching to 60,000,000*l.*; that is, about as much as the annual income from real property in England, and pretty nearly as much as the trades and professions are assessed to the income tax. You will find that the great body of the people will be galled with the yoke, and that there will be pressure against some particular tax. Take, as an instance, the paper duties. Since I have been in this House a gentleman has shown me an American newspaper, printed on paper made out of straw, at an exceedingly low price. Now, the raw material of that paper is worth two guineas; but the tax in this country would be fourteen guineas; and therefore before a papermaker in England can manufacture such paper, he must pay upon two guineas' worth of raw material fourteen guineas of taxation. I have also received a letter from Bristol, enclosing specimens of the same paper, and stating that, if it were not for the Excise regulations, the paper could be manufactured in England quite as well as it is in America. Then, besides paper, there is the tax on soap. What an abominable tax is that! Only conceive of an agitation against the excise duty on soap. Why, the supporters of the tax would have it said of them that they were the advocates of dirt. Then take the insurance duties. For an insurance from fire to the amount of 100*l.*, you pay 1*s.* 6*d.* for the risk, and Government makes you pay 3*s.* for the duty. I will not go over the rest, but their name is legion. But as they are discussed, you will feel more and more the necessity of resorting to some other mode of taxation. It is not merely that you are competing, but the change in the habits of business renders these obstructions impossible. The greater velocity of business will render them impossible. Look at your Customs regulations; there has been an agitation about them, and you cannot see the end of the difficulty, except by abolishing custom-houses altogether. The late Sir Robert Peel effected reduction of duties upon a great many articles; and many of us thought that the reduction of customs duties would cause a great reduction in your custom-house establishments. But no: you cannot allow articles to pass without examination; if you did, goods that do pay duty would come in in the guise of those that do not. For instance, if you allow cotton bales from America to come in without examination, how soon would these cotton bales be metamorphosed into tobacco bales. Look at the magnitude of your transactions. You are receiving from 25,000 to 30,000 bales of cotton a week, and how difficult it is to examine all of them. How different it was thirty years ago, when you had not as many hundreds. Then suppose any other country, such as America, should adopt the system of getting rid of these custom-house regulations, you must adopt their system. You may make up your minds, that having got rid of protection, with the large mass of taxation hanging over this country, you are entering upon a long controversy on the subject of taxation, in the course of which you will have to deal with many of the duties to which I have referred; and if the growing surplus of the revenue does not enable you to abolish these duties, you would find it necessary, especially in the case of the Excise duties, to increase the amount of direct taxation. When you do that, you must make up your minds to come to a fair and honest system of direct taxation; for there is too much intelligence and discussion in these days for any party to escape his fair share of taxation. This country is adopting the system of free trade, and yet it is extending its colonial empire, and spreading its establishments all over the world; and all the expenses are paid from the taxation of this little speck of an island. That might have been very well 100 years ago, when Adam Smith had not laid down the laws of political economy; but Adam Smith said, seventy years since, that he did not suppose the time would ever arrive when protective duties would be altogether abolished. We have arrived at those days; but they have totally changed the aspects of your policy with regard to your colonial empire, and you ought to make up your minds to that change. Our colonies must maintain their own establishments. We cannot keep armies in Canada and elsewhere—we cannot afford it. The taxation of this country, which impoverished the people, will drive them to those colonial settlements, where so many inducements to emigration exist. Twenty-five years hence there will be removed not only many of the physical but other obstacles in the way of emigration. Emigrants can now perform their voyages in one-half the time, and at one-half the expense they could do five years ago; and they now feel that they were not going into exile, for many of them have friends or families in our own colonies or in America, and they go there as on a visit; but can you suppose, if you allow mismanagement to go on here, that the people will not be eager to go there to escape the effects of your taxation? That has been the effect of enormous taxation everywhere. The Chancellor of the Exchequer said the other day that this emigration did not tend to impair the consumptive ability of the country. It may be that the emigration of some 200,000 or 300,000 people may not have impaired the national resources; but what will be the effect if one-half of the population of the country quitted our shores? There is every reason why they should look this question in the face, as the beginning of a movement which will widen in its extent and scope. I wish the House to consider, when the people of this country have so many burdens of taxation to bear, whether you ought to increase the taxation, as has been done already. We have wasted a great deal of money, and our expenditure is much too large; but it is of no use my saying so, because you call me a Quaker if I do. You have added 1,200,000*l.* to your expenditure lately; and while we have this large amount of expenditure, let no man in this country expect to escape from taxation. I will not undertake to exempt the 10*l.* householders from taxation to meet the expenses of our establishments if they send up to this House Members to vote an increase of that establishment. Already we are spending sixteen millions in the expenses of our establishments. Then let the middle class make up their minds that they must pay for this. We are now, however, dealing particularly with the house tax, which the Government propose to levy to meet the deficiency arising from the reduction of the malt tax. If they can show me that there is a deficiency arising from an excess of expenditure, and that that expenditure is supported by public opinion out of doors, I will lay that tax upon the shoulders of those who have sent Members to this House. But it is an entirely different thing when the Government propose to create a deficit by reducing the tax upon malt. I say there is no tax I will vote for, I know of no tax that I would vote for, in substitution of the malt tax. It is only in the case of a sufficient surplus that I would vote for the reduction or the abolition of the malt tax, and that not being the case I cannot vote for the reduction now proposed.

Lord JOHN MANNERS said, if the hon. Gentleman who had just sat down had made nothing else plain, he had at least made this plain that he and his party would never really consent to the system which had been termed "unrestricted competition;" for he had told them, with perfect fairness, that he objected to the term itself, and that he preferred that one-sided system of legislation which might more properly be termed "free imports." But if the hon. Gentleman had made this plain, he could not compliment him on having redeemed his promise to instruct the hon. Member for Cambridgeshire in what he was pleased to call the A B C of political science; or if indeed he had endeavoured to make the A B C of his political creed plain to the understanding of his hon. Friend, he seemed at any rate to have entirely forgotten the D E F that followed. The hon. Gentleman told them there was no necessary connexion between the system of direct taxation and that of free imports; and he then, towards the close of his speech, entered into an elaborate argument to show them that if they touched the customs duties at all, they would inevitably find themselves landed in a general system of direct taxation. He would leave the D E F of the hon. Gentleman to answer his A B C. Well, having got the sanction of the hon. Gentleman in the concluding, if not in the beginning, part of his speech to this system of direct taxation, which at one moment he defended, and at another said had no necessary connexion with free trade, he would ask of the House to observe what were the hon. Gentleman's objections to the mode in which the Government proposed to carry that system out. The hon. Gentleman, following the right hon. Member for Halifax (Sir Charles Wood), said that the Government proposal with respect to the house tax would set class against class, and country against town; and, as figures were never wanting to prove anything, so, in this instance, he quoted figures to make out some show for his proposition. But it must have struck the House that in the catalogue the hon. Gentleman gave of those items of taxation, which he said would swell the tax on houses to 21 per cent against 3 per cent on land, he had omitted all reference whatever to the land tax, and those other taxes which pressed especially on the land. The hon. Gentleman gave as an illustration house property in London, and instanced Belgrave Square, and the advantage that the great lords of the soil would derive from their ground-rents, which would be free from the new impost; but he forgot to tell the House that as the revenue of those gentlemen increased, so would their assessment to the income tax increase, and diminish their exorbitant receipts. The hon. Gentleman alluded two or three times to an excise impost—the soap duty. Now, his argument on that point was a little hazy and uncertain, and he was not altogether surprised that it should be so; for though it would appear to ordinary intellects that the soap duty was to the master manufacturer very much what the malt tax was to the farmer, he did not tell them that the master manufacturers enjoyed, and had done so for years, a drawback upon all the soap used in their manufactories, while the farmer enjoyed no similar drawback on the malt which he consumed, and which, according to the testimony of the hon. Gentleman himself, he might advantageously use in increasing the production of his farm. The hon. Gentleman admitted that the claim of the farmer to the repeal or diminution of this tax was undeniable, in point of justice, fiscal science, or the principles of free trade; but, though he told the landed gentlemen in that House, as he had often told the farmers of that House, when it had suited his purpose to do so, that they would always find in him the most strenuous opponent of this obnoxious tax, it seemed that whenever he gave that assurance it was coupled—at least in his own mind—with the determination never to consent to its repeal so long as any other tax must be imposed to make up the deficiency caused by its abolition. The hon. Gentleman, in short, gave them to understand that he would vote for the repeal of the malt tax at the Greek Kalends, and not before. He told the House he thought that the whole system of Custom-house duties would give way, that other Excise duties must be repealed, that the malt tax was an unjust tax upon the farmers, and that he would be prepared to vote for its repeal when there was no other tax to be substituted for it. He (Lord John Manners) trusted that the farmers out of doors would now know how to appreciate the often vaunted professions of friendship which the hon. Gentleman had made to them. The hon. Member, however, differed in one important respect from the right hon. Baronet (Sir Charles Wood) who had concluded the debate the other night in doing ample justice to the motives of Her Majesty's Government in proposing their alteration of the Schedules for the income tax. Surely the same considerations ought to have induced him also to see the injustice of the accusation he had previously brought against them—namely, that they wished to set town against country, and to perpetute the old war of classes. Why, if any step could possibly have been taken by the landed gentlemen of England to prove that no such feeling lingered in their breasts (if, indeed, any such had ever existed—which he denied—it was the proposal which, on behalf of those great classes which were connected with the land, the Government now made to the House of Commons, to establish on a just and equitable basis the tax upon incomes and property. The right hon. Gentleman (Sir Charles Wood), indeed, seemed so oppressed with the sense of the justice of what was about to be done to the industrial interests, that he had given the landed gentlemen warning how they permitted the Government so to place taxation upon their backs; but the consolation offered by the right hon. Member to the landed gentlemen was not of such a nature as to be likely to make them look to his embryo Budget for the relief which he somewhat obscurely hinted. He stated, frankly enough, that he was of opinion the income and property tax must be continued, that the amount of taxation levied by it from the landed gentlemen must continue unabated; but that under his scheme they would, at least, have the unimaginable consolation of knowing that an unjust mode of assessment to the income tax would still be maintained upon shopkeepers and professional men. But he (Lord John Manners) was satisfied that there was not a landed gentleman in the House who would consent to derive consolation from so contaminated a source. The hon. Gentleman the Member for the West Riding had laid great stress upon the argument that it was unjust to continue the exemption of the small farmers of this country; and he had asked that class how they could any longer consent to to be freed from their share of the burden. But the hon. Gentleman had entirely omitted, in the opening part of his speech, to put the same inquiry to a class to whom it would have applied with tenfold force, and who did object to be taxed like the rest of the community. Would the hon. Gentleman have the goodness, the next time he met his constituents in the West Riding, to ask the 10*l.* householders the question which he had asked of the small farmers, namely, whether they would any longer consent that a small portion of the householders of this country should be subjected to a system of taxation from which they (the 10*l.* householders) were altogether exempt? The right hon. Baronet (Sir Charles Wood), in his extreme eagerness to prove that the main source from which we must continue to obtain remission of other taxes was the continuance of the malt duty, pronounced the sources of additional revenue proposed by the Government to be all objectionable; and in so doing he was led into the indiscretion—the most grievous indiscretion into which an ex-Chancellor of the Exchequer could fall—of revealing to the country his own embryo Budget. He had told the House that he was prepared to maintain the present income and property tax in all its present injustice and inequality; and to vindicate the continuance of that small and objectionable house tax which he (Lord John Manners) would venture to say no scientific authority, either in or out of the House, could be found to recommend. The right hon. Gentleman also objected to that mode—as it seemed to him that most legitimate mode—of bringing 400,000*l.* into the Exchequer, which had been proposed by his right hon. Friend. He stated also that the proposed remission of the malt tax would be a boon neither to the producer nor to the consumer. He first of all endeavoured to prove to the tenant-farmers that the repeal of 2,500,000*l.* of taxation would be not of appreciable benefit to them; and then, lest the constituents of the metropolis and the larger towns should be too much struck with this great fiscal remission, which would give them cheap beer, the right hon. Gentleman assured them, with equal positiveness, that they would derive no imaginable benefit from it. Well, then, the question was, where was that 2,500,000*l.* to go? The right hon. Gentleman said it would be swallowed up by the maltsters and brewers. But surely a Chancellor of the Exchequer who year after year had proposed or supported the propositions of other Chancellors of the Exchequer to reduce the imposts upon other excisable articles, on the score that the producer and the consumer would be alike benefited, was placed in a very awkward position when he gravely told the House that the remission of more than two millions of Excise duties would be of no service, either to the producer or the consumer. Was it to be understood that the right hon. Gentleman, who had supported the remission of the excise duties on glass and the duties upon auctions, and who had himself proposed the repeal of the duty on bricks, was in reality persuaded that in doing so he was only giving a great bonus to the brickmakers, the auctioneers, and the glassblowers? He (Lord John Manners) would leave the answer of the right hon. Gentleman to the verdict of the country. The great mass of the people who had tasted the benefits arising from those remissions of excise duties would know well that there was not a labouring man, whether he was the inhabitant of the town or a tiller of the soil, who would not derive some very appreciable benefit from this remission of the malt tax. The remission of half the malt tax could not but increase the consumption of that fine old English beverage which, in spite of the denunciations of the right hon. Gentleman opposite (Mr. Cobden), was a beverage which would be dear to the working classes so long as they had to endure labour and toil to procure the means of their daily subsistence. It was well, indeed, for the hon. Gentleman to read them a protest by a number of learned gentlemen against the use of what they termed "alcoholic beverages;" but he would ask the hon. Member whether he believed in his conscience that any one of those eminent medical gentlemen, for all he had signed his name to the document, thought it necessary to abstain, even for a single day, from the use of intoxicating liquors? But the hon. Gentleman, who was willing to vote at some impossible period for the remission of the malt tax as a boon to the farmers, and in accordance with the principles of unrestricted competition, now entertained grave doubts how far he should be justified as a moral man in voting for a measure that might increase the consumption of beer. It seemed that the hon. Gentleman had fallen into the old fallacy which had so often been combated by the hon. Member for Montrose (Mr. Hume) and was prepared to make men strong, healthy, and moral, not by a simple Act of Parliament, but by the maintenance of an outrageous duty on an article of consumption which he thinks objectionable on some moral ground. Let not the House hear the maintenance of an unjust tax supported by hon. Gentlemen because they might not themselves appreciate the beverage which was dear to the labouring classes of this country. He thought that after the speeches of the right hon. Baronet and of the hon. Gentleman who had just sat down, the Committee must come to the conclusion that in the opinion of the eminent leaders of the "free importers" opposite, the system which heretofore they had laid down as the necessary and just corollary of their favourite principle, was one that would not stand the test of a single day's experience. The right hon. Baronet, in terms almost prophetic, had declared that direct taxation could only be made tolerable by being levied on so small a portion of the community, that the great mass should go untouched by it. A system indeed founded on enormous exemptions had not even the merit of novelty—the absence of which both hon. Gentlemen had so regretted in the Budget of the Government. That system was at least as old as the days of Bold Robin Hood, when he robbed the Bishop of Hereford of his gold in the glades of merry Sherwood, and was thus able to reduce the misery of the poor in that neighbourhood. In the opinion of the right hon. Gentleman a Budget ought to be founded upon a system which pressed unfairly upon the trade, professions, and science of the country, and upon a tax which was levied on the smallest number of houses possible. If the right hon. Gentleman should ever regain that place—which, without offence to him, he must say he had forfeited to the universal satisfaction of the taxpayers of this country—those classes would find the favourite weapon in his armoury to be the maintenance of the income tax in all its present injustice; and the landed interest would find the next arm on which he would most depend for maintaining the credit and institutions of the country would be that tax which, they had the testimony of the hon. Gentleman opposite, was most opposed to science, and interfered most with the industry of the corn producer. The right hon. Gentleman would give the country no relief beyond dealing with the tea duties, and the remitting 100,000*l.* which it was proposed to give to the shipping interest. Beyond this the right hon. Gentleman would return to office, his mind unmoved, and his views unchanged as to those details of direct taxation which the hon. Members for Montrose and the West Riding had told them were unjust and inequitable, and which must at no distant period be changed by some Chancellor of the Exchequer, so as to be more consistent with fairness and justice. The principle, then, which united the heterogeneous sections on the other side of the House against the Government, and the object of the contradictory assertions and arguments to which the House had been doomed to listen—and it was right that the country should know this—really was to maintain in all their injustice and want of equity the present financial arrangements of the income and house tax. To the country, then, he appealed from the decision, should it be against the Budget, of an Opposition guided by such a principle, and directed towards such an object.

Mr. RICH said, he could assure the Committee that he would not have persevered in attempting to address them had it not been a matter of somewhat a personal nature on which he wished to make a few observations. He had been informed that the other evening the hon. Baronet the Member for the University of Oxford (Sir R. H. Inglis), had during his (Mr. Rich's) absence from the House, been induced, no doubt unintentionally, to indulge in some remarks relative to himself, which he regarded as very unprovoked and somewhat unjust. He (Mr. Rich) had made some observations upon the manner in which the Chancellor of the Exchequer had proposed to deal with the exemption of certain of the clergy from the income tax; and he had understood that the hon. Baronet had said that he (Mr. Rich) had made such mistakes, that if subjected to an examination before such a committee of examiners as the hon. Member for Dumfries (Mr. Ewart) had proposed for *attachés*, he (Mr. Rich) would, undoubtedly, have been plucked. The joke might be a good one, but it contained a reflection upon him which he ought to refute if he could; and if he could not, and the fool's cap fitted him, he would wear it; but he thought he could show that it ought to fall, not upon him, but upon some one else. The right hon. the Chancellor of the Exchequer said—

> "But I think it right to say that in that estimate I have taken into consideration the position of the clergyman who has not more than 100*l.* a year. The position in which he is placed, in the manner in which the duty is now raised, is extremely severe, and I may say unfair. He is rated under schedule A at the highest scale, whereas a Dissenting minister who has 100*l.* a year, being rated under the scale of salaries in the mitigated schedule, would have an advantage of the mitigated rate. The position of a clergyman is, in fact, the position of a person working for a salary, but, from the nature of the property from which he derives the sources of his maintenance, he is deprived of the advantage of the mitigated schedule. And therefore it is necessary to make special provision for them, because he must still be assessed under schedule A. I have estimated the probable diminution from this source under schedule A at 30,000*l.*, but I have taken that into account, and it will not affect the figures which I have put down, of 5,361,300*l.*, as the produce of the income tax." [3 *Hansard*, cxxiii. 888.]

That statement appeared to him to involve three propositions—first, that it was expedient to remove all beneficed clergymen whose incomes were below 100*l.* a year from Schedule A; secondly, that the assessment of the clergy in general under the higher schedule was unfair and unjust; and, thirdly, that the proposed relaxation would cause a loss to the revenue of 30,000*l.* a year. On reference to a return of 1834, he found that there were then 1,629 clergymen having incomes of between 50*l.* and 100*l.* a year. Calculating these on an average of 75*l.* a year, and deducting 7*d.* in the pound, he found the remission of taxation under this head would be 3,500*l.* in round numbers. Comparing this with the Chancellor's statement, there remained a loss unaccounted for of 26,500*l.* From the same return he found that there were 10,400 beneficed clergymen, including archbishops, bishops, deans, and canons, receiving incomes above 100*l.* a year, whose total income, according to the return, amounted to upwards of 3,600,000*l.* Deducting from this the incomes under 100*l.*, and adding something for incomes not included in the return, for new endowments and the improvement of property, and also remembering that the incomes of the bishops and prebends had been nearly all understated, the revenue of the clergy above 100*l.* a year might fairly be taken at 3,600,000*l.* The loss on that amount, by reducing the tax from 7*d.* to 5¼*d.*, would amount to a little over 26,000*l.*, which added to the 3,500*l.*, the loss on incomes below 100*l.*, just made the 30,000*l.* He was, therefore, at a loss to conceive why the right hon. Baronet (Sir R. H. Inglis) should have thought his calculations so inaccurate. But how did the Chancellor of the Exchequer himself account for this estimated loss? He had said distinctly that he should relieve the clergy under 100*l.*, and transfer the rest to Schedule D. How otherwise did he account for the 26,000*l.*? If it could not be accounted for, let it be transferred to the estimated surplus, which would be small enough. It was said 400,000*l.* would arise from repayments to the Loan Commission. These loans had been in operation for the last thirty-five years, with great advantage, for the promotion of drainage, railways, emigration, and other matters. So carefully had these operations been conducted, that, instead of a loss, there had been a gain of about a million of money. Nevertheless the Chancellor of the Exchequer said he would abolish the system, though the demand for such loans was as great as ever in Ireland. But there was still a balance of 2,700,000*l.* of unpaid loans; and the Chancellor of the Exchequer proposed to apply these sums, as they fell in, to the service of the year in the same manner as the money arising from the sale of "old stores" were repaid into the Exchequer; and he referred to some regulations adopted in 1837 as establishing a distinction between money which should be applied to the reduction of the national debt as having been given from "advances," and money voted for the current services of the year. This was a serious principle, and one which the House would do well to consider before assenting to the proposed application of the 400,000*l.* The surplus was estimated by the Chancellor of the Exchequer at 1,300,000*l.*, and he suggested that there might be a saving of 250,000*l.* from the Kafir war; adding the 400,000*l.* from the repayment of loans, and 500,000*l.* from the proposed increase of the house tax, he made out a surplus of two millions and a half. On the other side there was 1,000,000*l.* allowed for the loss on the malt and hop duties, 400,000*l.* from the reduction of the duty on tea, 600,000*l.* for the extraordinary estimates, and 100,000*l.* from the removal of the light-dues, he made a total loss of 2,100,000*l.*;—leaving the narrow surplus of 400,000*l.*, precisely the amount to be derived from the repayment of loans, and which ought to be applied in liquidation of the national debt. Should the House reject the proposal as to the application of these advances, the surplus would be extinguished; and should the Kafir war again blaze out, the anticipated saving of a quarter of a million, which had been described as contingently applicable to the services of that war, would not be realised, and the estimated surplus would be converted into a deficiency. Thus Ministers had begun their financial career with the prospect of a deficit, which would be one entirely of their own creation; for it was on the reduction of the malt tax that the whole of their financial operations were based. And whom would that reduction benefit? The hon. Baronet the Member for Hertfordshire (Sir Lytton Bulwer) had calculated that there would be a remission of a penny a pot on strong beer. He (Mr. Rich) had inquired of his Friend Mr. Bass as to the quantity of gallons produced from a quarter of malt, and the quantity of malt brewed in a year, and he found that 580 millions of gallons of beer were produced in a year. Taking then the full remission of duty as equal to 2,500,000*l.*, he found that there were 600,000,000 pence on that amount, showing that the gain to the producer would not be a penny a pot, but a penny a gallon, and the saving to the poor would be something less than a farthing a pot. The remission would not be so much a benefit to the poor as to the more wealthy classes. But it was said the remission of one half was nothing; the whole duty must come off to do any good. If the House was prepared to double the house tax now, they might depend they would have to double it again next year to meet the views of the Government. And why? Merely to fulfil expectations that had been most wantonly raised, and never could be realised. It was notorious that the malt tax was now very cheaply collected, since the late improvement in the Excise, and there was no pretence for meddling with it. Direct taxation was a valuable element in a system of general taxation; but if the proposal of the Government were carried out, it would make direct taxation so odious that the public would be anxious to revert to import duties. It should be remembered, that on all articles of consumption the poor paid higher in comparison than the rich. On tea, for instance, they paid 200 or 300 per cent on the cheaper sorts; while the rich did not pay a quarter so high a per centage. Hence the necessity for an *ad valorem* duty. It had been speciously urged, in support of the new house duty, that taxation ought to be coincident with representation, and therefore houses ought to be taxed down to 10*l.*; but this doctrine was more specious in theory than practical, in fact; and, if any attempt were made to apply it, it would probably have a very large disfranchising effect. Many men would be rated at 9*l.* only, to avoid the tax; others would be disfranchised for non-payment of the tax, and many who retained the qualification would be disposed to say, in contested elections, that the least that could be done for them would be to pay the house tax. He did not deny that this tax had many things to recommend it. Under some circumstances it might be a better measure of the ability to pay than the income tax itself; but, looking at the great temptation to fraud and evasion, and the measures which would be necessary to counteract this, it was to be feared a strong feeling would be excited against the tax. If these objections applied to the house tax, they applied with double force to the income tax. The proposition for taxing funded property and salaries in Ireland, and allowing the land of Ireland to escape, and that for altering the assessment in favour of the farming class in this country were in particular unfair and unjust. As far as human foresight could speculate, it was probable, if not quite certain, that in the next ten years prices in this country would rise to double their present amount, owing to the influx of gold from Australia, California, and, perhaps, other yet undiscovered sources. The recipients of salaries and the owners of money in the funds would be the great sufferers by this rise in prices; and yet these were the persons whom the Chancellor of the Exchequer selected for the imposition of an Income tax. The right hon. Gentleman exempted the landed property of Ireland because it was burdened with a poor-law. He admitted that Ireland had passed through a severe ordeal, and that might be a reason for exempting her altogether from an income tax; but it was none whatever for making a distinction between salaries and landed property. Still more unjust was it to draw a distinction in favour of the land of Ireland, as compared with the funds, which stood upon the public credit and national faith. Then, with regard to the farming class, whilst every tradesman and artisan with incomes between 100*l.* and 150*l.* were brought under the operation of the income tax, not one additional farmer would be touched, whilst the duty was to be lowered for those who came under its operation, from one-half to one-third of their profits. But in his (Mr. Rich's) opinion the pecuniary compensation which was intended to be given by the proposition of the right hon. Gentleman to the agricultural interest, would ultimately fall into the hands of the landlords, and not those of the farmers. He objected to this Budget because, in the first place, it was one-sided; because, in the next, it gave compensation where none was due; and, lastly, because it was penal in its effects. It threw the main burden of taxation on the towns; it was penal in its operation on those who rented houses between 10*l.* and 20*l.* a year—the class of persons by whom free trade was carried. It was dangerous and unjust, and he might almost say dishonest, because it would leave the country in the approaching year, a year of great anxiety, with no greater a surplus at the best than 400,000*l.*—which might possibly prove no surplus at all—and it was unjust and dishonest, because it transgressed the law by imposing a tax on the fundholder of Ireland, while it exempted the land. Upon these grounds he would give a most willing vote against it. It unsettled from 5,000,000*l.* to 6,000,000*l.* of malt tax; from 5,000,000*l.* to 6,000,000*l.* of income tax; from 1,000,000*l.* to 2,000,000*l.* of house tax; and all this was done for no other purpose than to fulfil a vain expectation which had been recklessly held out to a particular interest.

SIR R. H. INGLIS said, if the hon. Member who had just sat down had made an equally elaborate speech on the former occasion, he certainly should never have accused him of being unacquainted with figures. But his remarks were founded on the observations made by the hon. Member on Monday last, of which, in order to insure greater accuracy, to use the words of the highest authority in that House, "he had obtained a copy" through the ordinary means of intelligence. On that occasion the hon. Gentleman said, "Now, as 30,000*l.* on those data represented an income of 4,000,000*l.* per annum, the inference was that the Chancellor of the Exchequer intended to include in the exemption the whole body of the clergy, rich as well as poor, bishops, deans, and curates." He (Sir R. H. Inglis) contended that such was not the intention of the Chancellor of the Exchequer; 30,000*l.* did not in fact represent 7*d.* or 5*d.* in the pound on a sum of 4,000,000*l.*; 7*d.* in the pound on 4,000,000*l.* would amount to nearly four times 30,000*l.* He (Sir R. H. Inglis) should be exceedingly sorry if, through mistake, he had been led into any misrepresentation of the words of the hon. Member.

MR. RICH said, that if the hon. Baronet would calculate as he did, not 7*d.* in the pound, but 1¾*d.*, the difference between 7*d.* and 5¼*d.* he would find that it amounted to near what he said.

MR. LOWE said, that when he considered the great prosperity of the country at the present moment, and the very flourishing condition of two out of the three great interests which contributed to the revenue; and when he considered that, on the showing of the right hon. Gentleman the Chancellor of the Exchequer they would have a surplus of 1,350,000*l.* for the year ending the 5th of April next, he confessed he should have thought that the wisest course any Government or any House of Commons could have adopted, would have been to persevere quietly and steadily in the system hitherto carried out with such successful and beneficial results. He saw no case made out for any change at all. All they had to do was to continue going on as they had gone on hitherto; and that when the surplus should be disposed of by their making still further remissions of taxation, on the same principle as those remissions had been made, which led to the wonderful extension of trade, commerce, and increasing revenue which all acknowledged, they would then have done all that a wise Government and a prudent Legislature could do under the circumstances. Furthermore, he confessed he should have thought, the present time being one of unexampled prosperity, and the lot of mankind being at all times subject to change, that the probability was, that if any change took place in the course of events, that change would be for the worse rather than for the better, and that we should therefore be wise in our calculations and proceedings, not to form our estimate on the ground that the present state of prosperity would be necessarily permanent and continuous up to the utmost extent it had hitherto reached, and not to act in imitation of the fool in the parable, who said, "To-morrow shall be as to-day, and much more abundant." They ought to look their affairs in the face, as all previous history warned them to do, and to make their estimates, not on calculations of limited expenses and unabated prosperity, but rather make them with a view to the many hundred contingencies that might arise, each of which might, temporarily or continuously, retard the national progress. What he complained of in the Budget was, mainly, that it had not taken this view into consideration; but that, with that enthusiasm which converts were always said to exhibit, the right hon. Chancellor of the Exchequer had not only adopted free trade, but seemed unable to come to the conclusion that the existence of free trade and of an enlarged commercial policy was perfectly consistent with those changes and mutations, and to conceive that the country must necessarily go on as it had done. Further than this, he should have thought, considering what the right hon. Gentleman had so ably stated—namely, that the cause of the great emigration that had taken place from this country, was not any want or suffering on the part of the people, but had arisen out of an anxiety to participate in the great opening of prosperity in another country—that the causes which really regulated emigration were causes over which the internal organisation of this country had little or no control; and that it was not in our power to ameliorate the condition of the emigrating classes so as to prevent them from quitting this country; nay, that if we increased their resources we should be giving them additional means to emigrate upon a still larger scale: considering that to be a true representation of the case, he (Mr. Lowe) should have thought that this was of all times the most ill chosen to give an impulse to the mighty tendency of emigration, by imposing new taxes on men pinched in their circumstances at home, and on classes most uneasy in this country, and who were now at work for wages considerably below what they might obtain elsewhere; thus suggesting to them in the most forcible manner that there were lands in the world where there was no House tax, no income tax, no assessed taxes, no Excise duties. He spoke with some experience on the subject. He believed hon. Gentlemen had very little idea of the magnitude of the change that was coming over them; and, with great deference to the right hon. Gentleman the Chancellor of the Exchequer, he (Mr. Lowe) could not acquiesce in the justice of his argument, that the more people left this country, the smaller our population became, and the greater the proportion of women and children that remained in this country, the better our revenue would be, the more prosperous our circumstances, and the more commanding our position. It seemed to him (Mr. Lowe) that the right hon. Gentleman's argument, if pushed to its legitimate conclusion, led to this—that the moment the last man quitted the shores of this island, and carried his skill and labour elsewhere, then this country would reach the highest pinnacle of prosperity. As the hon. Gentleman the Member for the West Riding (Mr. Cobden) had said, emigration was a question of degree. Up to a certain point, and as long as the people were not able to find employment, but were in a state of destitution, emigration would be a great relief to the country; but when they went beyond that, they were then sucking away the very life-blood of the country. But the question was not in their hands. It was not in their power to say to the tide of emigration at any particular period, 'Stop!' It depended not upon what they could do, but upon the progress, more or less rapid, in which the resources of the colonies became developed. He thought they would be acting most improperly and most unwisely if, by any shifting of the burdens of the people, or by any jugglery or contrivance with taxation—favourable as might be the present appearance of things, and of their pretending to do somewhat when nothing was really intended to be done, they should accelerate that tide which had already set in with such tremendous force. Having made these preliminary remarks on the general tendency of the Budget, he would now take the liberty of offering a few observations upon that which had been truly said to be the keystone of the arch, namely, the malt tax. It appeared to him that if they were to get any benefit for the farmer and for the consumer by the repeal of this tax—if this measure was to be any step in the way of compensation—that step must be in the direction of a rise in the price of barley; but he would suggest that there was no probability that the adoption of the proposal of the Chancellor of the Exchequer would lead to a rise in the price of barley. He admitted at once that the malt tax was open to many economical objections. In the first place, it was a duty on the raw material, which it was always desirable to avoid in every manufacture. In the next place, it involved an absolute prohibition of the importation of foreign malt. These objections struck the mind of every freetrader and political economist. But, though this measure might be introduced for the purpose of affording relief to the farmer and to the consumer, and in perfect consonance with the principle of free trade, still he had yet to learn, that it was any part of free trade that they were to tamper with or bring into danger the revenue of the country in any way whatever. At any rate a large portion of the revenue of the country was raised by means of the malt tax, and it was paid with less discontent than any other description of taxes. It was also a remarkable fact, that although the tax fell mainly on the consumer, there never had been an instance in the history of the malt tax of a meeting of consumers of beer to insist upon the repeal of that tax. There had, no doubt, been frequent meetings held upon the subject by farmers, landlords, and agents—those who represented the growers of barley; but he believed that a meeting to present a petition for the repeal of the tax by the consumers of beer had never been held. That was a fact worth observing by a practical man, whether he was a free-trader or not. It was in itself a most significant fact, and ought not to be lost sight of. Again, the malt tax rested on the prohibition of foreign malt. That, it was said, was not with any view to enhance the price of home-made malt, and so aid the grower of barley. However that might be, there was the prohibition. But this prohibition had not been imposed for the benefit of the agricultural class, but for the purpose of Excise. No one on his (Mr. Lowe's) side of the House wished for a moment to interfere with it; though that prohibition the Government did intend to take away. There was another benefit connected with the malt tax which ought not to be forgotten, and which was also in violation of sound principle; and that was, that it was the practice of the Excise to give six months' credit for the payment of the malt tax; so that the maltster was enabled to sell his malt to the brewer and receive his money for it (including, of course, the duty), thus receiving from the brewer, in advance, that duty which he would not have to pay to the Government till six months after. Thus the Government, by that singular Excise regulation, tempted people into the malting trade, offered long credit, and provided capital and a regular fund by which purchasers of barley could always be found. The system might be a loss to the revenue, but its effect was to raise the price of barley by providing a fund which stimulated a large number of purchasers to enter the market, and by their competition to enhance the cost of the article. We were to get in exchange for the advantages to be given up a reduction of 15½*d.* and 5 per cent, which in effect meant 16*d.* on every bushel of malt, and then it was argued, or rather it was assumed, as a matter of course, that because the cost price of beer was diminished, the retail price at which it would be sold was necessarily diminished also. That would be quite fair if the beer trade was under the influence of fair competition. Then cost would regulate price; but in the present instance there was one element wanting which was necessary to regulate the relation between cost and price, and that was unrestricted competition. He said it without meaning offence, but there was not in the country any monopoly so close, so complete, and so circumscribed as that of the brewers. It was daily getting into fewer hands—it was daily becoming as a system better organised; the capital was becoming larger, and the monopoly more strict; and if the House thought by taking off 16*d.* per bushel of malt they would lower the price of malt liquors to the consumer, and would not let the difference go into the hands of this monopoly, they were deceiving themselves most grossly. Just let them look to the past. They knew that malt was much cheaper now than it used to be before the Corn Laws were repealed; but had the consumer or the poor man derived the slightest benefit from the reduction? Every one knew that he had not, and that not one halfpenny had been gained by him, but that the whole amount reduced had gone into the pockets of the brewer. But how was it that the brewers, if the price of malt was continually diminishing, were still able to keep up the price of beer? The answer was simple. The brewers possessed themselves of all the public-houses in the metropolis and all over the country; and then they let them to a body of tenants with whom they made stipulations as to the amount of profit they were to have on the sale of beer. In London, he believed, the amount of profit per barrel was about 4*s.*; and when a man had to provide servants, and gas, and to furnish decent rooms, that was a miserably small sum, but it was one which would never be accepted or submitted to, if the licensed victuallers did not know they were in the brewers' hands. In order to increase their profit, what the publicans did notoriously was to make the quantity of liquor supplied to them into a considerably larger quantity—to adulterate it in short—and then to sell it to the public. What better proof of a monopoly could they have? But there was still another which he would mention. There was a different class of brewers from those he had alluded to, who manufactured another kind of beer, which was sold in bottle. What was the result of that? Why, he knew, and they all knew, that the quart bottle was daily becoming less a quart, and the pint bottle becoming daily less a pint; and if the reduction went on at the present rate, he believed that the quarts would soon become pints, and the pints become medicine bottles. In fact, that was about to be the whole art of the brewing trade; and the licensed retailers were placed in this condition, that they had to choose either to give full measure and adulterate the liquor they sold, or to give genuine liquor and sell it in smaller measures. What chance was there, then, of the 16*d.* finding its way into the pocket of the consumer, and what reason had they for supposing it would not go to the brewer? None whatever. In fact, there was only one way by which any reduction of taxation in this respect could be of advantage to the consumer, and that was by breaking up the brewers' monopoly. That was a difficult thing for the House to do, because that monopoly rested on private property and on capital which they could not touch; but, supposing they were anxious to do away with it, let the House give up the system of licensing, and let any one sell beer, and the monopoly was broken up. Until they did so it was folly to talk of reducing an old English beverage in price; for, no matter about the reduction in the cost of materials, it would always remain at the same price as long as they had the same system. He thought he had proved there would be no diminution in the price of malt liquors. If there was no diminution in price there could be no increase in consumption, and if there was no increase in consumption there would be no increase in the growth of barley; and then, he asked, what would be the success of the present measure? Why, simply to put so much into the pockets of the brewers. But would not the grower of barley profit by the change also? Not exactly; because, instead of an almost absolute prohibition, foreign malt would then be admitted at just so much protective duty as would destroy the boast of hon. Gentlemen opposite that they had adopted complete free trade. It would also enable the foreigner to compete with us; and the result would be, that while they were led to think barley would be raised in price by this measure, because it would increase the demand, they would find the demand little, if at all, increased, while they would, henceforward, have to deal with a new set of competitors, who would make malt on the Continent, and, unembarrassed by the restrictions of the Excise, would be able to compete with our home-growers on very favourable terms. In fact, so far from increasing the price of barley, the tendency of this measure would be to diminish it. He had thus given his reasons why he could not on any account consent to the repeal of the malt tax—a step which would benefit neither consumer nor producer, but would injure our revenue in a most vital point, and all merely for the sake of a few gentlemen for whom he had a deep respect, but who were certainly no great objects of compassion at present. He would now take the liberty, if the Committee would indulge him for a few moments, to make one or two remarks with respect to the Budget. He could imagine no more vicious principle for a

Chancellor of the Exchequer to act upon than that he should purchase immediate popularity by the remission of taxes, which remission was not to be immediate, but to be put off for some time to come. That was a system of *post obits*—it was raising money by borrowing, and then drawing bills on futurity to pay it. Such was the principle of the Budget. If the malt tax was to be repealed to stimulate some suffering interests, the sooner their sufferings ceased, that this duty was removed, and the consumer benefited, the better, and therefore he had been much astonished when he heard the reduction was not to come into effect till the 10th of October next. At first he supposed the reason for that delay was, that the right hon. Chancellor of the Exchequer, having an eye to the expense which would be incurred by the necessity of paying drawback on stocks of malt in hand, put the reduction of duty off till the 10th of October, and thus economised a large sum of money; but he found, on going further, that the right hon. Gentleman, after all that delay, and after nine months' notice to the grower and merchant, still proposed to pay the drawback. It seemed to him a great pity to pay 1,000,000*l.* sterling for this drawback, because the only ground on which it could be paid was that the reduction was of prejudice to a particular class; but if the change was deferred to so distant a period as the 10th of October, the maltster should be trusted to make provision for it, and ought not to be entitled to any compensation on the ground of injury to his interests. No doubt, if the right hon. Gentleman's proposition was adopted, there would be plenty of trade and speculation meantime, and plenty of malt made, and the 1,000,000*l.* would be spent, to the great delight of the maltster, but with very little satisfaction to the country; for he asserted that the money was thrown away, and that, if the maltster was told so long beforehand of the change, he would take care to have no stock on hand to lose by. Malt did not require keeping, and the fresher it was the better; but the Chancellor of the Exchequer was endeavouring to induce people to accumulate large stores of malt, which in the course of summer might become heated and spoiled, in order that they might get the drawback on it. It was evident the saving of the drawback was not the reason for the delay. The reason was indeed plain enough. It was, that no part of the loss by the malt tax should come into the next financial year; for, as the Budget proved, the right hon. Gentleman was not prepared for that reduction, and therefore the new malt tax came into effect five days before the commencement of the financial year of 1854. If the malt tax was to be repealed, let them not put it out of the financial statement, and then make it out to be a remission of taxation on which alone Ministers could lay claim to the thanks of their supporters, when it was to be carried into effect just fifteen months after. The right hon. Gentleman, in fact, gave the House a double Budget, for he not only reckoned up the Estimates for 1853, but called on the House to estimate the resources of the nation for the year 1854. It was merely for them to take an Estimate for the current year, and, if they wanted instances of the uncertainty which prevailed on these matters, they could not find a better than that of the Chancellor of the Exchequer, who said some time ago we might put the surplus income for the year at 400,000*l.*, but now he put it at 1,300,000*l.* But that was before the general election. The object, then, was to make the surplus as little as possible. The object now was to get as much out of the free-trade policy as possible by way of recouping the interest on the capital they said they had lost. Now he asserted that the Chancellor of the Exchequer had not made out any case at all for the surplus in 1854, and he proved it thus: The statement of the right hon. Gentleman was as follows: He had, he said, a surplus of 1,300,000*l.*, and he would gain on the decreased expenditure in the Kafir war 250,000*l.*; on the Exchequer loans, 400,000*l.*; the gains by the increase of the house and income taxes 1,000,000*l.*; the reduction of the Three-and-a-Quarter per Cents 350,000*l.* On the other side there was the drawback on malt, which would amount to 1,000,000*l.*; the reduction of the tea duties 400,000*l.*; the cost of national defences 600,000*l.*; Relief to the shipping interest 100,000*l.*—total 2,100,000*l.*, giving, in round numbers, a surplus of 400,000*l.* Now, in the first place, he begged to observe that as to the Estimate of 250,000*l.* to be saved by the termination of the Kafir war, this was certain—that the war would terminate whenever it was the pleasure of General Cathcart to say the Kafir war had ceased; but the ruinous and miserable consequences to us would not terminate because General Cathcart announced that it was over.

Peace and war were mere names when dealing with barbarous enemies, whom no treaties could bind, whom no force could subdue, and who were bound by no treaties, and eluded every attack that might be made against them. He, for one, would never believe they were free from the expenditure on account of the Kafir war until they had withdrawn all their troops from the colony, except such as were necessary to furnish our posts at Cape Town, and handed over the country to the inhabitants, with free constitutions and the full management of their own affairs, with ample armaments and munitions of war to defend themselves. As to the Exchequer loans, they appeared to him to stand in this way: They had borrowed money on Exchequer Bills to lend again, and when they were disposed of, fresh Exchequer Bills were issued for a certain time, and the money so borrowed the Government continued to lend on very good account, and made a very good thing of the transaction. Notwithstanding the right hon. Gentleman the Chancellor of the Exchequer had promised that he would answer the objections of the right hon. Member for the University of Oxford (Mr. Gladstone), he (Mr. Lowe) could by no means admit that the measure proposed by Government was any necessary and legitimate financial operation. Let them take a case by way of familiar illustration. Suppose that to-morrow a gentleman, having a large quantity of land, a large family, and no ready money — no impossible conjecture, had an opportunity of putting a son to great advantage in business, and in order to raise the necessary sum mortgaged a part of his estate for 5,000*l.*, and that the son, becoming prosperous, sent continually instalments to his father of the money he had borrowed; would the right hon. Gentleman say that the owner of the land was acting as the father of a family, or as a man of common sense, if he took those instalments and spent them as he received them as part of his income, instead of doing his duty and carrying them to the current account against the mortgage on his land? Well, that was the case of the Exchequer Loan Commission; and when the right hon. Gentleman got up to answer the right hon. Member for the University of Oxford, he hoped the right hon. Gentleman would not think it beneath him to answer the case put by so insignificant a person as he (Mr. Lowe) was. He passed now to the next year, for in order to estimate the present Budget rightly, they must look to the state of income in 1854–5 as well as in 1853-4. They were called on, in fact, to exercise a double amount of the sagacity every House of Commons and every Chancellor of the Exchequer exercised on the Estimates, because they had to found possibilities on possibilities, to place conjecture on conjecture, and to form Estimates on Estimates. One of the things to be assumed was, that if the malt tax was repealed they would have a surplus, and that the financial year 1854 would terminate as the previous year had done. Unless that House was satisfied that was the case, they would not be justified, in the present state of the country, in touching one shilling of a tax so certain and remunerative as the malt tax. How could they foretell the events of 1853, 1854, or 1855?—how could they tell what extraordinary circumstances might arise in the interval, or venture to say that all would go on as it had done hitherto with this country, that we would hold to the same course of trade, of foreign and colonial policy, and that we ought to go speculating on speculations of this kind? The right hon. Gentleman was bound to show some reason why he assumed that there was to be the same surplus in 1854 as in 1853. He did not object to the right hon. Gentleman speculating. No. His speculations were most interesting; but what he objected to was that that House was called on to act as if speculations were realities, and that on the right hon. Gentleman's statement they were to assume a surplus existed as if they had already got it. He would put this case: Suppose he had a ship on a voyage home with a certain cargo, the profits upon which he knew; and suppose also, in order to complete the parallel, that that ship was not insured—because, although we could insure ships, we could not insure the success of Governments, or Government measures—would it be a legitimate thing for him to presume upon those profits before the arrival of the ship, and to draw bills against them? But, supposing he were to go further, and to assume not only that the ship would get safe home with those profits, but that he should afterwards send her somewhere else, and that she should bring home another cargo and other profits, and suppose he were to speculate upon those profits also; why, everybody, in such a case, would say that he had lost sight of, and departed from, all legitimate mercantile transactions; that he was a dreamer instead of a practical man of business; and that he had substituted the reveries of Alnaschar with his basket of glass for anything like sound financial considerations. Yet that was the course proposed by the right hon. Gentleman. His first assumption in the contemplated surplus of 1,350,000*l.* was, that the whole of the 450,000*l.* would be saved from the expenses of the Kafir war, although we had nothing to induce us to suppose that that expenditure would come to an end. The probabilities upon which we were called upon to act were, that we should have first a surplus of 1,350,000*l.*; and, secondly, that we should have no more trouble from the Kafir war; but if unfortunately those two expectations were not realised, the right hon. Gentleman would leave the country in a deficit of 1,400,000*l.*, and that would be the result of his improvidence in dealing with our national finances. The result of all was this, that the reduction of the malt tax was not to come into practical effect upon the revenue till the financial year beginning in April, 1854; and the loss it would occasion was estimated at 1,700,000*l.*; to meet which no other provision was to be made except the assumption that there would be a surplus of 1,800,000*l.* Why, it was very easy to take off taxes upon that principle. He had one word to offer with regard to his constituents, who felt on the subject of the proposed extension of the house tax very acutely. In 1841, an Act was passed which exempted all houses in Kidderminster under 10*l.* rent per annum from the payment of any rates and taxes whatever; and houses above 10*l.* had to pay 4*l.* of local taxes a year. This gave a great encouragement to parties to seek houses under 10*l.* rent; and if to the 4*l.* of local rates was to be added the burden of this house tax, it was most seriously to be apprehended that a very large disfranchisement would take place. The real state of the Budget amounted to this: that it proposed to reduce the revenue to the extent of something like 1,200,000*l.* by the remission of the tea duties and the light dues, and by the increase to the national defences—with all of which nobody quarrelled—while, on the other hand, it only imposed 1,000,000*l.* in the shape of house tax; and for the rest, to meet the loss of half the malt tax, it trusted entirely to the chapter of accidents. Now he, for one, refused to be led into that line of recklessness. He was satisfied that if in such a year as the present—a year of unexampled and glorious prosperity beyond all imagination—the nation was not honest enough to meet its obligations, it was not likely to meet them in harder times. If they began by borrowing money—for the proposition with regard to the Exchequer loan amounted to this—they would set an example to future Parliaments of reducing taxes like the malt tax, although the people were never so well able to bear them; and that example future Parliaments would either follow or they would not. If they followed it they would in a very short time wreck and ruin the finances of the country, shipwreck its credit, and reduce us to the level of a third-rate Power, contemptible in the eyes of the world. If they did not follow it, then they would hold them up to scorn and disgrace as the most reckless and improvident stewards of the public money that ever dishonoured the name of a Parliament.

Mr. A. MILLS said, he wished to express the strong feelings which he knew his constituents entertained respecting the proposition of the right hon. Gentleman the Chancellor of the Exchequer on the house tax. He had heard it said, that taxes might safely be imposed at the commencement of a Parliament which it would be impracticable or impolitic to impose on the eve of a dissolution. But he thought it mattered very little whether hon. Gentlemen were to meet their constituents to-morrow or five years hence—the chief consideration for them was whether they were dealing out substantial justice to their constituents or not. He had the misfortune to differ on this subject with many of those with whom he ordinarily agreed. In his opinion the right hon. the Chancellor of the Exchequer was acting unwisely in accompanying the reduction of one tax with the extension, in a double shape, of another. Indeed, he did not see the necessity for a reduction of the malt tax, which was not called for, or agitated for even by the agricultural classes. He was not prepared, in order to the remission of that tax, to support an aggravation of taxation which he believed the necessities of the country did not warrant, and which aggravation was alike unnecessary, impolitic, and unjust. If any amendment were to be moved, negativing the increase of the house tax, but affirming the extension of its area, he would be prepared, in no hostile spirit to the Government, to support it. He knew that middle courses were seldom popular, but he could only say such were his views. But though he had the misfortune of differing from Her Majesty's Government on this question, he could not help asking hon. Gentlemen on the Opposition side of the House, who objected to the extension of this tax, as a measure of disfranchisement, what became of that longing for political power of which we had heard so much, if Englishmen were prepared to forfeit their privileges for such a small consideration as this? He could not believe so ill of his countrymen, though unfortunately for those who said that the people of this country desired an extension of the suffrage, that opinion was not borne out by facts; for a very popular Review, which certainly did not write in the interest of what was called the country party, had told them recently that out of 500,000 electors in the country, there were not more than 300,000 who exercised the franchise at the last election. The hon. Member for East Surrey (Mr. Locke King) had given notice of a Motion for the extension of the franchise to that very class of men to whom it was proposed by the Resolution then before the Committee to extend the burden of taxation. He (Mr. Mills) confessed, if that measure was submitted to the House—the effect of which would be to grant the suffrage to that very class who now sought to avoid contributing to the public burdens—he could not see with what grace or propriety the House of Commons which should refuse the extension of the house tax could listen to the Motion of the hon. Member for East Surrey. He had no doubt there were some hon. Members who thought that what he (Mr. Mills) said was unconservative. For his part, he had seen enough of the working of popular institutions in other countries, and particularly in the United States, to be convinced that the larger the number of those who by direct contributions to public burdens had earned their title to the suffrage, the greater was the security for the maintenance of law and order. He regretted it would not be in his power to support the proposition of Her Majesty's Ministers as it stood, and he trusted that some reconstruction of this portion of the Budget would take place. He hoped that by such a timely reconstruction the revenue might be saved from what he considered would be a very serious and uncalled-for sacrifice—the reduction of the malt tax—a measure which, he believed, under the circumstances of the country, was uncalled for; a measure with regard to which very great diversity of opinion existed, even among the agricultural classes themselves, and other classes who were supposed to be benefited by it; and by which very little popularity, and, what was of more importance, very little substantial advantage to the country, would be gained. For these reasons he would not be a party to the sacrifice of so large a sum, when it could not be gained without the imposition or the duplication of a tax which, he believed, would press very severely upon certain classes in this country who had hitherto been exempt from both the house tax and the income tax; and it was therefore impossible for him to support the proposition as it now stood. He would, at the same time, say he did believe the imputations cast on the Government with respect to their motives in bringing forward this proposition were wholly unfounded. He could not say that it appeared to him any case had been made out for those imputations. He knew it had been said this measure would become a question of town against country and country against town. That might be so; and the hon. Member for the West Riding (Mr. Cobden) might look to that result. That hon. Member had told them that they would again be involved in a long and disastrous contest—longer and more disastrous than any they had yet been engaged in. Very possibly it might be so, and he (Mr. Mills) might congratulate the hon. Member for the West Riding upon that circumstance; that hon. Member knew that free trade was no longer in danger; he knew also that another trade in which he was deeply interested—the trade of agitation—was not in danger, and he would have an opportunity now of agitating, and, as he (Mr. Mills) trusted, unsuccessfully, for a reversal of those principles on which the Government founded this proposition.

MR. BASS said, that, after the eloquent and able speech of the hon. and learned Member for Kidderminster (Mr. Lowe), so severely censuring as it did the class of tradesmen to which he belonged, the Committee would not perhaps be surprised if he wished to make a few remarks on what had fallen from the hon. and learned Gentleman. He would attempt to unravel some—he could not hope perhaps to unravel all—of the mysteries with which the hon. and learned Gentleman enveloped the question of the malt tax. The hon. and learned Gentleman talked of the monopoly of the brewers. Now, he (Mr. Bass) always thought that the phrase "monopoly" meant a power conceded to a limited number of persons, and withheld from all others; but there was nothing in the world to prevent the hon. and learned Gentleman himself from becoming a brewer to-morrow; and if he would only direct to the business the same eminent talents which he had exhibited that night, he (Mr. Bass) had no doubt he would prove as successful in it as some others whom he had in his eye. The hon. and learned Gentleman could have no difficulty in borrowing capital, especially after the description he had given of the profits of the brewing trade. The hon. and learned Gentleman had also adverted to the licensing system. Now, he (Mr. Bass) was not there to speak in favour of that system; but what he did say was that the brewers had no part in creating the licensing system, and as far as he himself was personally concerned he would not care how soon that system was abrogated, for he was not in possession of a single house in London, although he sent to it close upon 100,000 barrels a year. He, consequently, was not one of the monopolists described by the hon. and learned Gentleman. When the hon. and learned Gentleman talked of the enormous capital required to commence the brewing trade, he would tell him that he (Mr. Bass) found men competing with him, and successfully, too, who had no more than 1,000*l.* or 2,000*l.* as well as those who had more than a million. The fact was there was no monopoly—all that was wanted was industry, and superior skill in the application of large sums of money. Why, they might as well say that the right hon. Gentleman opposite, the Chancellor of the Exchequer, had got a monopoly because he had more brains than many of them. The right hon. Gentleman had most judiciously and wisely deferred commencing the reduction of the malt duty till the 10th of October, because, if he had reduced it at once, he would not only have disturbed the whole calculations of the present year, but have thrown the whole malting and brewing trade into confusion. The hon. and learned Gentleman (Mr. Lowe) evidently did not understand either malting or brewing; and when he talked of brewing fresh beer with fresh malt, he could only say that the hon. and learned Gentleman was much better acquainted with other matters than with that part of his (Mr. Bass's) trade. He would inform him, before he made another speech on this subject, that there was a malting season, which began about the 1st of October, and ended about the 1st of May; and from the 1st of May to the 1st of October there was a general cessation in the process of malting. A brewer must begin brewing with a stock of malt amounting to very near one-third of his annual consumption; and how could he do that unless he was allowed to have a stock of malt on hand? He could assure the hon. and learned Member, therefore, that as to brewing fresh beer with fresh malt, it was altogether out of the question and impossible. But turning to the general question of the removal of the malt tax, he (Mr. Bass) last year had the honour of submitting to that House this very proposition to remit half the tax upon malt, believing that it would be, as he still believed, most advantageous to the country, that it would be of considerable benefit to the producer of barley, of much advantage to the consumer of beer, and that it would entail very little loss, ultimately, to the revenue. On that occasion, however, his proposition did not receive the support of more than thirty-one hon. Members, and among its friends he did not find the right hon. Gentleman the Chancellor of the Exchequer, or any of his present Colleagues. Let them look at the reason of the thing. Were they to say, "We must remit every duty on foreign articles; but we shall obstinately retain every tax upon our own produce?" But it was said that the malt tax involved 5,000,000*l.* of our revenue; and that that was too large a sum to deal with in the way of reduction. Well, he admitted the force of that argument; and therefore it was that he had thought that they should begin by degrees, taking off one-half at first, which would by no means cause a loss of one-half to the revenue; and then, if the prosperity of the country at some future time enabled them to repeal the remaining half, it would be for Parliament in its wisdom to take that step. But the right hon. Baronet the former Chancellor of the Exchequer (Sir C. Wood), the other night argued that to remit the duty would be useless, for it would not increase the consumption of malt; and he said that there had been no corresponding increase in the consumption when the beer duty was removed in the year 1830. Now, he (Mr. Bass) thought the right hon. Baronet was mistaken in this. True there was no immediate increase after the year 1830, because we had two bad harvests at that period; but in the year 1836, the quantity had increased prodigiously. He believed that, in round numbers, the consumption, which in 1830 was 3,500,000 quarters, had risen to considerably more than 5,000,000 quarters. He thought that ought to have satisfied the right hon. Baronet. But then they were told that Mr. Barclay, the largest brewer in the world, had stated, in his evidence before a Committee of the House of Lords, that it would be useless to take off the malt duty; and it was also said that Mr. Taylor—who was Mr. Barclay's maltster, by-the-by—had stated pretty much the same thing. Yet the hon. Member for Wakefield (Mr. Sandars)—himself an eminent maltster—had, the other night, countenanced the idea that the reduction of the duty would all go into the pockets of the great brewers; and still the hon. Gentleman said he would vote for this Budget, although he had opposed his (Mr. Bass's) proposal last year. But he would ask, what became of the charge of rapacity against the brewers? It was said that this measure would distribute 2,500,000*l.* among the brewers; and yet, on the other hand, they were all to a man against it. Surely the brewers—men who had made large fortunes—ought to be allowed credit for some sagacity—or cunning, as hon. Gentlemen would perhaps call it; and if they were so rapacious as was alleged, how was it that they were opposed to a reduction which it was said would swell their profits so enormously? But it was said they had not made reductions in the price of beer when there had been considerable reductions in the price of barley. That was perfectly true. For twenty years, or nearly, since the last adjustment of the prices of beer, the price of barley had been remarkably uniform; and he had once before explained to that House how it was that in an article divided so minutely it was inconvenient to have frequent alterations in price, and that it became almost an agreement between the brewers and publicans that there should not be sudden and frequent changes. ["Hear, hear!"] He hoped that the Committee would be good enough to hear him out. Since the establishment of free trade, it was true that there had been a steady and permanent reduction in the price of barley up to the present year. In the present year the brewers were paying considerably more than the average prices of the last thirty years; but up to the present year there had been a considerable and an important reduction, and no corresponding reduction in the price of beer. Now, he explained to the House last year, and he now repeated it, that it was very difficult to make a reduction in the price of beer, on account merely of the reduction in the price of barley. But if they added to the reduction in the price of barley the proposed reduction of the right hon. Gentleman the Chancellor of the Exchequer of the duty on malt, he said emphatically not only would the consumer of beer receive the benefit of the reduction in the malt tax, but he would get, in addition thereto, that reduction which had taken place in the price of barley, which the brewers and the maltsters owed to the public at large. [*Laughter.*] He repeated, that he believed whenever they made this reduction in the malt tax, that the brewers would not only make commensurate reduction to the public, but would also make a further handsome reduction for the reduced price of barley. An hon. Gentleman below him asked, what would the reduction of half the duty on malt amount to? He (Mr. Buss) had no hesitation in stating his computation, and he was sure there were many who would not refuse to be guided by him. He thought there ought to be a reduction of from 4*s.* to 6*s.* a barrel, according to the strength of the beer. Hon. Gentlemen would understand that light beer would not be capable of as large a reduction as strong beer; therefore it would be quite unreasonable to expect as large a reduction in pale ale as in other descriptions of beer. Still he undertook to give that opinion, that there ought to be reduction of from 4*s.* to 6*s.* a barrel on the price of beer, according to its strength. Remember, the brewer had, or ought to have, a profit on the capital which he employed in his trade, and there would be not only the reduction in the duty, but in the interest of the capital which would be no longer required to conduct the business on the same scale. Enabling the trade to be conducted with a smaller capital would invite more competition, and this the brewers must expect. He might perhaps be permitted to say a few words with respect to the bugbear of foreign malt. He would undertake to say, that if the British manufacturers only had a fair chance—that was to say, if the foreigners would reduce their duty, they would supply the foreign market with malt instead of the foreigner supplying us. What inducement could our brewers have to take the foreigners' malt? Why, the manufacture of malt was an operation of so much nicety and importance that the principal brewers of this country would not trust the maltsters to make malt for them —they made their own malt. He begged his hon. and learned Friend to understand, that in order to be a successful brewer you must understand the maltster's trade too. It was not every sort of malt that would produce a really valuable quality of beer; it was not the foreigner who could supply an article that could be trusted to produce a desired quality of beer. What inducement had British manufacturers to go to the foreigner when they could make their malt cheaper than he could, and, as he (Mr. Bass) undertook to say, make it better too? With respect to keeping malt in the winter, there were very few countries in which it could be done, and none that he was acquainted with so favourable to the production of malt as this country. For that purpose a mild and moist climate was required; with a very severe degree of frost they could not make malt, and when that occurred in this country the process was interrupted. He could not think that the countries on the Baltic or on the banks of the Elbe could make an article equal to that used by the English brewer, and never would he believe, till he saw it, that a single bushel of malt could be brought into this country which would injure our manufacturers by foreign competition. As to the production of foreign barley, he believed the difficulties arising on that head were greatly overrated. He knew that at times very large quantities of foreign barley might be introduced into this country. As much as 1,600,000 quarters had been imported in 1849, but of that quantity not one-fourth was fit for malting, the rest being used for the purpose of distillation or fattening cattle, as well as for human food. He had ascertained on careful inquiry, that, going from one end of Europe to the other, there was the greatest difficulty in procuring, on all the large quantity produced, more than 200,000 quarters of fine malting barley. What was that in comparison with the 5,000,000 quarters we used? Evidently it would have but little effect on prices. In 1850 the quantity we imported fell off to 1,100,000 or 1,200,000 quarters; in the following year it fell to 800,000, and during the year ending the 10th October last—for this information he was indebted to the kindness of the right hon. Gentleman the President of the Board of Trade—it was under 600,000 or thereabouts. The Committee would not fail to observe that this decline in the importation of foreign barley—this diminution of competition with our English barley-growers, had taken place not with such a reduction of price as might reasonably account for it, but with a very great and serious advance of price. The price in 1849 was 23*s.* a quarter, next year it was 23*s.* 2*d.*, in the year after it was 24*s.*, and at the present moment the average price was upwards of 30*s.* He was paying for fine barley 36*s.* a quarter, and could not get a supply from abroad, yet they had had fine harvests in the barley countries, excepting France, whilst the barley harvest in this country had been very indifferent, a considerable proportion of it having been damaged. He could not meet with a single sample of what was called bright barley in this country; indeed, they were using it abroad, for foreign brewers were beginning to compete with our own for the finest qualities of foreign barley. The right hon. Baronet the late Chancellor of the Exchequer asked, why meddle with a part of the farming business that was so profitable, for sheep were best reared and fattened on barley soils? He (Mr. Bass) said, the more you extend the trade, the more good you did the farmer. With regard to the hop tax, he could not but hope that the right hon. Gentleman the Chancellor of the Exchequer would listen to the representations addressed to him from so many quarters, and give up an impost against which there were such grave objections. They had heard a great deal about fattening cattle with malt. He had attempted that himself, and the question had been examined, at the instance of Government, by some of the best and most competent authorities in the country, the Messrs. Thomson of Glasgow, whose opinion was that it was not a profitable mode. There was, however, no hindrance to feeding cattle on malt at present; the only point at which the Excise stopped you, was in taking it on the kiln, and he maintained that it was not necessary to do so, but was in fact a hindrance and a loss. Considering the indulgence which the Committee had extended to him, he should not intrude further on their patience, or say a word more on the other interesting topics with which the Budget was fraught.

Lord ADOLPHUS VANE said, he felt that after the eloquent and lucid statement made by the right hon. Gentleman the Chancellor of the Exchequer in introducing the Ministerial measures, he need say very little to justify to the constituents who had returned him to Parliament the vote he was about to give on the present occasion. He had heard an hon. Member who represented a borough, assign as a reason for not supporting the measures of the Government the unpopularity he should incur by so doing; but he (Lord A. Vane) fearlessly said that unpopularity, if he were doomed to encounter it, would not prevent him from giving a vote in favour of measures which he conscientiously felt to be devised in equity and based upon justice. If he understood the policy of past years it was that indirect taxation, which pressed on the essential articles of consumption among the poorer classes should be removed, and direct taxation be imposed instead, not exempting any classes who were in a social position that enabled them to bear their due share of the public burdens. Now he conceived that the measures brought forward by the right hon. Chancellor of the Exchequer, and approved of by Her Majesty's Government, did embrace those desirable objects. Respecting the proposed increase of the house tax, he confessed he saw no reason why 10*l.* householders should be exempted, as they now were. At present many a man who was subjected to very hard work by the duties of his profession or occupation paid as much as 10*l.* a year on account of income tax. He saw no reason why such a man should be obliged to pay a larger quota of taxation than was fair, while a man who had 140*l.* a year of income was entirely exempted, and the labourer in the field was paying a larger share by indirect taxation on all articles of consumption in consequence of this exemption. The right hon. the Chancellor of the Exchequer told them that he was prepared to vindicate his proposal regarding the house tax on grounds of justice and expediency, and he had heard another right hon. Gentleman who lately filled that office state, on Friday night, that he was not prepared to say that the house tax should not be extended. He (Lord A. Vane) considered that those authorities quite justified him in voting for the extension of the house tax, and he could not imagine a fairer extension of it than that men should be assessed who occupied property which entitled them to vote at elections for Members of that House which had the control over the supplies of the country. In reference to the duplication of the tax, he considered that the measure of the Chancellor of the Exchequer was but the supplement of that brought forward by the late Government. Either tax was just, and therefore the Government ought to obtain a fair quota from each, or it should be removed altogether. He did not think they obtained that quota now in the case of the house tax, and therefore he should have no hesitation in supporting both its extension and duplication. If he incurred unpopularity, he could say to his constituents that his vote was an honest one, and that if he voted for taxing classes who were hitherto exempted, it was in order to benefit the poor of the country. Gentlemen on his side of the House could corroborate him in saying that the great difficulty they had to encounter at the late election, was, that their opponents continually impressed on the people that they were the only men who would secure cheapness, and that they would pour blessings from that exhaustless cornucopia of free trade of which they were the sole possessors. He believed that the measures brought forward by the Government would give the country plenty in earnest, and therefore he gave them his hearty support. No one would pretend that a reduction of half the malt tax would not very much diminish the price of beer, and that the remission of the tax on tea would not be an immense benefit to the poorer classes. He had great satisfaction also in supporting the system first Ministerially enunciated by the right hon. Gentleman the Chancellor of the Exchequer, recognising the truth that incomes which were precarious, inasmuch as they depended on health, were not to be taxed in the same proportion as those derived from realised property. He thought that a fair principle, and was persuaded that the popularity which the right hon. Gentleman the Chancellor of the Exchequer would reap from this part of his plan, would far overbalance any unpopularity he might incur on account of the increased house tax. He would beg to observe that some hon. Members held language on the subject, which, in fact, offered a premium to householders to agitate against the tax. It was by no means a difficult thing to head a popular crusade against any tax, and if Members went and addressed battalions of householders, and called on them to rise under their guidance, as he observed from the papers that the hon. Member for Lambeth (Mr. W. Williams), and the hon. Baronet the Member for Marylebone (Sir B. Hall), had been doing, he said they were countenancing an agitation against a measure which he considered fair and just, and therefore the blame of creating disturbance must lie, not on those who proposed the tax, but on those who organised the agitation. He had heard the Government accused of a wish to retain office, and bitter attacks directed against the noble Lord at the head of the Government. It was not for him to defend a nobleman whose talent was universally admitted to be pre-eminent, and whose character malice could not assail; it was not for him to defend a Government whose conduct was before the country, but as an independent Member of that House it was with high gratification he supported a Government who he believed were actuated solely by a wish to amend the financial system of the country, and to carry out the principles which the House and the country had sanctioned, with fairness to all classes, and without oppression to any. He hoped hon. Members would not be led away, by specious fault-finding or dexterous straw-splitting, to cavil at the details of the Government plan, but that they would consider its whole spirit and main features, and give the Ministry strength to carry out a system just in principle, and, he believed he might add, in the opinion of the country grand in the comprehensive views it took of the public requirements.

MR. FREDERICK PEEL said, when the hon. Member for the West Riding observed that hon. Gentlemen opposite appeared to think there was some inconsistency in opposing the Budget on his (Mr. F. Peel's) side of the House, he perceived from the reception they gave to the observation how much importance they attached to that position. The noble Lord who had just sat down, as well as some of those who preceded him on the same side, had plausibly argued that the essence of this Budget was the remission of indirect and the substitution of direct taxation, in conformity with the policy which had been inaugurated in 1842, and continued by subsequent Governments, and that all that the present Government proposed to do was to take up that policy where the late Ministers had left it, and to extend it over a greater range of subjects. Now, he admitted that since 1842 direct taxation had formed a much more important source of the public revenue than it did in times previous; but he did not know that direct taxation had been substituted for indirect taxation from any abstract preference for it in a financial point of view; on the contrary, the only ground on which the income tax was recommended was its capacity to be made instrumental in effecting a great commercial reform. The House felt the necessity then existing for relieving industry from the load of incumbrances which weighed it down, and that if a large development of our trade were to take place, it could only be effected by the remission of indirect taxes and the substitution of a direct tax, to such an extent as might ensure a considerable result. He hoped, therefore, that on this occasion the House would not yield a blind subserviency to any supposed theory of taxation, and that before they voted for the doubling and extension of the house tax, they would satisfy themselves as to the existence of an emergency calling for this imposition, and as to the advantages to be expected from the proposed remission of indirect taxation. He was himself in favour of a judicious intermixture of direct and indirect taxation. He thought direct taxation useful in many ways, and in this, amongst others, that it tended to keep up a disposition to murmur at any unnecessary outlay of public money, and caused the people of this country to watch with jealousy any increase in the estimates—though it was very possible the country did not go along with him in that sentiment. He knew that notwithstanding the acknowledged advantages which had resulted from the imposition of the income tax, there was some difficulty in procuring its periodical renewal; but of this he was certain, that if direct taxation were to answer, it was an essential condition of its success that it should be laid on by a friendly and discriminating hand. If an impression prevailed—no matter whether well-founded or not—that the doubling of this house tax was brought forward in a spirit of retaliation for supposed injuries which had been inflicted by recent legislation on the agricultural classes, he did not think it required any great sagacity to foresee that it would not be possible to saddle this load on the country. It was said, indeed, that the house tax was one of the justest which could be imposed, because it was exactly in proportion to a man's expenditure, and because, differing in this respect from the income tax, it was levied only on the disposable part of income. He, however, concurred in an observation that he heard made on Friday evening—that the house rent was hardly a fair criterion of individual expenditure, and that it would be found that it formed a continually increasing part of the income in proportion as the income sunk in amount, being greater in the case of persons of moderate income than with the higher classes. It had been urged that there was reason to apprehend that the doubling of the house tax would lead to the disfranchisement of some voters; and he had heard it said on the other side that they, the Opposition, ought not to complain of that, since it was one of their axioms that taxation and representation ought to go hand in hand, and that all they were doing was to give a Parliamentary recognition to this principle. Now, it was one thing to include among the possessors of the franchise those who contributed to the public taxes, and quite another thing, when they had got their franchise settled, to rearrange their financial system on the basis of possession of the elective franchise. He could not see that any other result would accrue from this than to make the franchise be regarded as a burden rather than a privilege. In his opinion, house property was quite sufficiently taxed in this country already; it contributed to local taxation, it was assessed under Schedule A to the income tax, and now it was to be charged at a special rate for the public service. Under these circumstances, he thought nothing more probable than that many persons now possessed of the elective franchise would resort to voluntary disfranchisement, by having their houses rated at less than that sum, which would expose them to the liability of being called upon to contribute what they regarded as a disproportionate share of the public burdens. Another consideration was, that the house tax had not a very good name. And its reimposition now under the pressure of no emergency would cause it to be regarded still more unfavourably. This was not an unimportant consideration, because it was possible that times might occur when they would find it necessary to call on the people to make great sacrifices, and the only shape this could assume was that of a direct contribution from income, or the levying a tax on house rent; but if they now exhausted their resources they would not know whence to obtain their additional supplies. They could not expect to procure any increased revenue from the customs under such circumstances—foreign trade would be already liable to obstructions and embarrassments enough. In fact they were doing all they could to render a resort to direct taxation in any emergency impossible. The number of houses between 10*l.* and 20*l.* rent might be considerable enough to bring round about them battalions of exasperated householders, but still the sum derived from increasing the area would be inconsiderable. According to the present assessment, the yearly value of private houses liable to the tax was 13,000,000*l.*; and, according to the estimate of the Government, even carrying down the assessment to 10*l.* houses, it would not be raised beyond 15,000,000*l.* Shops which were now assessed at 8,000,000*l.*, it was estimated, would be increased to 10,000,000*l.* So that while the risk was run of arousing great discontent, they would continue to levy the bulk of this house tax from those who occupied houses above 20*l.* in yearly value. They were the persons who would bear the greater part of it, and they said, naturally enough, "Show us the advantages to be derived from this new imposition. What are the advantages that we are to get in compensation for this new tax?" And what answer could the House give them? "You are to have cheap tea, and, if you drink beer, supposing that the brewer and the maltster do not divide the remission of duty between them, it is just possible that you may get a quart of beer a farthing cheaper than before." He did not say that the tea duty was the redeeming feature of the Government Budget; but it was at all events that feature which had most commended itself to the judgment and the opinion of the country. He believed, however, that they might reduce the tea duties, not only without the imposition of any new burdens, but, as far as the present year went, without making provision for any anticipated loss to the revenue. He said this, relying very much upon the experience that he had had in the analogous case of sugar. The Act of 1848 reduced the duty on sugar on a scale very similar to that proposed for the reduction of the duty on tea, and under that Act there had been no diminution in the revenue received from sugar. No doubt, the sugar duties did not now produce so much as they did ten years ago; but that was on account of the Act of 1845, which reduced the duty from 24*s.* the cwt. to 14*s.* Let the House remember that the revenue derived from the tea duties had increased remarkably of late years; he believed, during the last four years not very far short of one million sterling, and this of course under ordinary circumstances. The right hon. Gentleman estimated the loss to the revenue for this year from the reduction of the tea duties at 400,000*l.*, a sum which would be made up by an increased consumption of from five to six millions of pounds of tea; and when the House considered that there had for the last two or three years been an increased consumption of tea to the extent of three millions of pounds each year, there could, he thought, be nothing unreasonable in estimating that, with the diminished price of tea consequent on a reduction of the duty, the increased consumption of tea might go on at such an accelerated rate as would be sufficient to make up the anticipated loss to the revenue. Now with regard to the malt duty—he did not understand who were the persons to be benefited by the remission. If it was regarded as a question of compensation to the agricultural interest, it was at once obvious how partial must be its operation. At the best it could only benefit that portion of the light soils devoted to the cultivation of barley; and even the holders of that portion of the soil would only be benefited under one or other of two conditions: either the consumption of barley must increase—and the right hon. Member for Halifax (Sir Charles Wood) had given good reasons for supposing that that result was rather problematical—or the price of barley must increase if they were to be benefited. Now, it was stated that when, in 1830, four times the amount of duty that it was now proposed to remit was taken off the bushel of malt, the average price of barley for the four years following was actually less than in the four years preceding 1830. Of course he did not mean to say that the reduction of the duty led to that state of things; but he inferred that the diminution in the price of barley was not conteracted by the remission of duty. Well, then, if anybody was benefited, it must be the consumer. If, however, the hon. Member for Kidderminster (Mr. Lowe) was right, the benefit to the consumer would be intercepted by the brewer; if on the other hand the Member for Derby (Mr. Bass) was right, it would appear that the price of beer to the consumer would be reduced to the extent of from 4*s.* to 6*s.* per barrel—no very great advantage; at all events it was not an adequate advantage to justify the House in purchasing it at such a tremendous sacrifice of revenue as the present Budget contemplated. This was bad enough, but it was much worse when they considered that all this unprofitable remission of duty, and all this onerous and burdensome imposition of taxation, was to end in a disastrous financial result. They were going, for the sake of these very questionable advantages, to convert a substantial and legitimate surplus of 1,500,000*l.* into a fictitious surplus of 400,000*l.*—a surplus existing only by the payment into the Exchequer of a loan which, if it was to be called in at all, should undoubtedly be applied to the reduction of the debt which was contracted when the loan was granted. There was, however, one view of this question to which adequate importance had not, he thought, been attached. The income tax was the pivot upon which all their financial discussions must turn. The right hon. Gentleman the Chancellor of the Exchequer had said that there was a moral certainty that the income tax would be renewed; but they knew that there were many persons who would not vote for the renewal of the income tax unless all those grievances and inequalities which they charged against it were redressed; and that, on the other hand, there were others who would not vote for incomes being assessed at different poundages, not only upon the ground of public faith, but also that by taking such a course they would be frittering away the income tax, and preventing it from being that productive source of revenue which it was at present. First, let them look at the question in this light: they had the income tax on the one side, and the malt duty on the other. Both sources of revenue yielded between five and six millions annually; but would anybody make a comparison between them for a moment in respect of the difficulty of assessing them—in respect to the troublesome machinery required in collecting them, and in respect to the disclosure of private circumstances to which they led? And yet they were about to reimpose the income tax and to reduce the malt tax. He looked upon the malt duty as one of the best that we had; for he did not know any tax which brought more money into the Exchequer, at a cost so comparatively trifling to the industry and capital of the country. And now with regard to the proposed modifications of the income tax. The income tax was at present complained of because it levied the same poundage upon every income, and it required incomes of the same nominal amount to contribute precisely the same sum to the Exchequer; while it was contended that incomes nominally the same have really a very different value, as would be seen at once if they were capitalised; for while one income would be worth thirty years' purchase, another would not produce more than ten. Why was that? The value of an income was affected by the character of its tenure, and of its source. The quality of the sources from whence the income arose would differ. Capital might be invested in land, in the funds, in trade, or in professions, and just as it was invested in one form or another, an investment became of an inferior character. The worse it was, the greater was the part of the income required to be devoted to cover any depreciation of the capital, and the cost of insurance against the possible chance of its entire annihilation. Now, what did the Chancellor of the Exchequer propose to do? He proposed to recognise the inferiority of one description of investment—that of capital invested in and yielding an income from trade. But if they recognised that distinction, why not recognise also the inferiority of other descriptions of investment? There, were, for example, investments in house property and in minerals. An income could not be derived from minerals at all, unless the capital itself were destroyed; and with regard to house property, the census showed that no fewer than 166,000 houses were generally uninhabited. Why, when the houses were inhabited, the income must be sufficient to compensate for the loss that accrued during the time that they were uninhabited, and yet no allowance was to be made for the inferiority of that class of investment. Then with regard to the depreciation of income arising from tenure. One income might be held for perpetuity, and another for life or a term of years, or upon some contingency, as health, reputation, or the will of a master. Now the right hon. Gentleman proposed to recognise the inferiority of one sort of tenure only—that of incomes of the class of salaries. But why should not the inferiority of an income derived from a life annuity charged on land be equally recognised? It was the annuitant who had so long complained of the injustice of the tax, and it would be cold comfort to him to be told that the Government were prepared to recognise the distinction between permanent and real income, and then to find that he was not to get any relief, but that his brother annuitant of 50*l.* was now, for the first time, to be called upon to contribute at the same rate with himself. Then, with regard to the exemptions proposed by the right hon. Gentleman. He admitted that it might be desirable to carry down the tax to incomes below 150*l.*; and his reason for saying so was, not that he wished to assess those who had less than 150*l.*, but because he found that great numbers of those who had incomes of more than that amount took shelter under this exemption. He found it was stated before the Income Tax Committee, that in one year no less than 10,000 persons claiming exemptions as having incomes under 150*l.* a year, were brought under its operation by the vigilance of the officers charged with its collection. Now let the House see the anomaly which might arise from the alteration proposed by the Chancellor of the Exchequer, with a view of assessing all persons having an income of 100*l.* from commercial gains, or 50*l.* from land. If a man had 130*l.* a year, partly derived from land and partly from commercial gains, it appeared to him (Mr. Peel) that there might be the singular anomaly of his being entitled to exemption. Then with regard to the mode in which it was proposed to assess the profits of the farmer under Schedule B. At one time his profits were assessed at three-fourths of his rent, at another at a half, and now it was proposed to take them at one-third. He did not, however, see that any injustice would be done to the farmer if the present standard were retained, because, by the provision adopted last year on the Motion of the gallant Member for Lincoln (Colonel Sibthorp), if, in the course of the current year he found his profits less than they were estimated at the commencement of the year, he was at liberty, on making a proper explanation, to claim an abatement of the duty to that extent. But if the profits of the farmer were now assessed at one-third, there would be no means of surcharging him if his profits exceeded that sum, and he would, doubtless, escape his fair contribution. He would only say, in conclusion, that, looking at the Budget as a whole, it certainly had created in him a feeling of disappointment. He was in hopes that the right hon. Gentleman would have done that which he undertook to do. He said that he would reconcile the interests of town and country; but instead of appearing in the character of a mediator, he had rather assumed that of a partisan, and his measures were calculated to foment jealousy between the urban and rural interests of the country. He had also expected that our finances were to be regenerated. That was the great boon which was promised to the country. It was said, "Your financial system is a perfect hodgepodge of assessments, imposed without justice, without principle, without proportion, imposed solely with a view to bring into the Exchequer as much money as could be collected." The country was told to place the right hon. Gentleman where he was, and they would then see this chaos reduced to order, and what now was void of method and system reduced into the most beautiful proportions. All anomalies were to cease; there were, in future, to be none such, for instance, as a stamp duty upon two kinds of insurance and not upon a third, or as probate and legacy duties upon one description of property and not upon another. He could not, however, say that he thought any of these undertakings had been realised; and, without wishing to say anything in depreciation of the right hon. Gentleman, he must say that he saw nothing in his Budget which might not have been found there if it had proceeded from the laboratory of any ordinary predecessor in his office. His objections to the measure were so strong and so numerous, that he should, undoubtedly, vote against it.

Mr. WALPOLE: Sir, we have certainly had some important admissions during the course of this debate. Remember, we are discussing the present question, according to the suggestion of the noble Lord the Member for the City of London, as a whole—as a whole we are considering the financial statement of my right hon. Friend; and, bearing that in mind, I think it will be seen that some very important admissions have been made by hon. Gentlemen opposite. We have had an admission from the hon. Gentleman who has just sat down, in conformity with the opinion expressed by other hon. Members, that the remission of the tea duty is a wise and beneficial measure. We have the admission of the right hon. Gentleman the late Chancellor of the Exchequer (Sir Charles Wood), that the way in which we have dealt with the shipping interest, so as to give relief to it from certain restrictions to which it is exposed, is wise and beneficial. We have to-night the admission of the hon. Member for the West Riding (Mr. Cobden), answering one-half the objections and arguments that have come from the other side of the House, with reference to almost the most important point in the Budget—we have his admission, I say, that our proposition in regard

to the income and property tax is so good that it ought to have come from his own friends, and not from us. We have these great admissions, and I think we have also had the admission that even with regard to the distinct and specific Resolution that we are now dealing with, namely, that relating to the House tax—we have the admission, although you object to the increase of that tax, you do not object to the extension of area over which it is distributed; and in justice I believe you cannot take any such objection. All these being your own admissions—and bearing in mind that we are to consider the Budget as a whole—what is the issue that you are taking with us except this—that while you are admitting the reasonableness and propriety of the greater portion of the Budget, you are opposing us on one part only, and that a very small part. The principal objections which you have raised are two—one applying to the increase of the House tax in part of amount, and the other applying to any remission whatever of the malt tax. These are your principal objections—against which I set your important admissions, and then I ask you whether dealing with this subject as a whole, and upon principle, you should not support us, at any rate to this extent that the scheme as a whole may perfectly be adopted, though in its details it may reasonably be modified? ["No, no!"] Well, then, you object to that? Now, I wish to put the question on the fairest ground. The subject is a large and very comprehensive one, and I wish to bring you to the test, by reducing that large and comprehensive subject within the few and important principles which are necessarily involved in it, the objects which these principles have clearly in view, and the results to which they must necessarily lead.

What, then, are these principles? I think if you examine the propositions of my right hon. Friend, you will find that they are three in number; and the objects contemplated of course correspond to the number of the principles. The principles are—first, to adhere unreservedly to—or, in your own formula, firmly to maintain and prudently to extend the commercial system which is now established in this country. The object of that principle unquestionably is to bring home to every one all articles, whether of import or of domestic produce (for you must regard both in the same light if you wish to be consistent), as cheaply and as readily as the lowering effects of unrestricted competition can supply them. That principle and that object are exemplified, as I will presently show you, in the remission of the tea and malt duties. The second principle contained in this Budget amounts to this, that if, while you are acting on the recommendation contained in the Speech from the Throne, you find that in the establishment of the present commercial system you have inflicted any injury upon any particular interest, then in common justice you ought to endeavour to mitigate that injury by enabling those interests to meet successfully the unrestricted competition to which they are subjected. Now, what is the object of that principle? Obviously it is then that those interested shall enjoy the same advantage, in their competition with others, as others enjoy in their competition with them. That, I think, you will admit is a just principle; and if you apply it to those articles that we have dealt with, you will find that we have dealt with it in a just manner. The third principle contained in the Budget, and that which has attracted most attention in this debate, is the mode in which we have dealt with the taxation of this country, so as to put it on a fairer and more equitable footing, in order that all who are to run together this free-trade race may be equally unfettered by any restrictions and equally unencumbered by any impediments which do not press upon the rest of the community. These are the three principles contained in this Budget; and I will undertake to show you before I sit down that every one of them is just, and that they have been fairly acted upon in the propositions which have been submitted to you my right hon. Friend.

I will begin with the first—that relating to the commercial policy of the country—the object being to give to every one all articles, but especially those which are the prime necessaries of life, as cheaply and as readily as they can be procured. Now, how did you work upon this principle in the alterations that you have made during the last ten years? The first alteration of your tariff was in 1842, when, by removing prohibitory duties on certain articles of imports, you admitted the importation of animal food for the consumption of this country, so as to make it more cheap than it would otherwise have been. Ten years afterwards you will find, from the returns, that instead of no animals having been brought into England as was the case before, 100,000 of larger cattle, and 200,000 of sheep and lambs have been imported in less than a year. Whether it is or is not wise to admit them absolutely duty free, may be, I think, a question. I question it on this ground, because I believe that without any material addition to the price, you might have made an addition to the revenue by means of a small duty which would not have been felt. What did you do with respect to the supply of another great article of consumption in this country—corn? Ten years ago the quantity of corn brought into the country was 2,150,000 quarters, the quantity of wheat and other flour being 1,200,000 quarters; but in the ten months ending November, 1852, the corn imported into this country for the benefit of the people had increased to 5,500,000 quarters, the wheat and other flour being 3,100,000 quarters; so that there is an increase of 2,000,000 quarters under each of those heads. Thus it is you have dealt with the people in regard to those articles of food which are unquestionably the prime necessaries of life; but did you benefit the consumer equally with regard to the other necessaries of life? Did you benefit him by giving him his beverages as cheap as you gave him his food? No; you left all your duties on tea and malt as they were before. I know you say you had a good reason for this; and the reason is, that if you had done otherwise you would have had to deal with such a large amount of revenue that you could not afford to make the remission. But I contend upon your own principles, that if you had intended to benefit the consumer of this country with reference to that which is as much a necessary of life to him as his his bread and meat— ["Oh, oh!"] Yes, I believe that there is not a village so remote, or a cottage so poor, but that any addition to their beer and their tea is as important as an addition to their food; and if you had intended to benefit the consumer with reference to these articles, you ought to have boldly grappled with that difficulty. Now I will deal with these articles particularly with reference to the observations which the late Chancellor of the Exchequer made upon the subject.

And, first, with regard to malt, which is, after all, the great point against which your objections are mainly directed, I am dealing with this question at present as a consumer's, and not as a producer's question. What did the late Chancellor of the

Exchequer say on this point? He said that as to the benefit to the consumer, he doubted very much whether we should materially benefit the consumer by a reduction in the duty, because he thought, from statistical returns, that we should not materially increase the quantity of malt. I own I was astonished at that statement. The malt duty was first imposed at the end of the 17th century. It was raised, during the 18th century, from 4*s.* a quarter up to, at one time, 1*l.* 15*s.* a quarter; it was subsequently reduced to 1*l.* 8*s.*, and afterwards, I think, to 1*l.* 2*s.* 7½*d.* Now, any one who has taken the trouble to go through the returns of the manufacture of malt in this country, cannot fail to draw some important conclusions which displace the argument of the right hon. Gentleman. The first and most startling fact—a fact which I was astonished to hear denied this evening—is, that, notwithstanding the increase which has taken place in the population and the wealth of this country, the manufacture of malt has, for the hundred years ending 1816, remained nearly stationary. And why was that? Because you had put on so high a duty. Let there be no mistake on this subject; I will read you an authority which cannot be doubted:—

> "Owing to malt liquor having early become the favourite beverage of the people of England, the manufacture of malt has been carried on amongst us for a long period on a very large scale. Instead, however, of increasing with the population of the country, it has been nearly stationary for the last 100 years. In proof of this we may mention that the quantity of malt that paid duty in England and Wales, at an average of 12 years, ending 1720, was 24 millions and a fraction bushels a year; whereas the annual average quantity that paid duty during the 12 years ending 1816, was only 23 millions and a fraction bushels per year. This apparently anomalous result is probably in some measure to be accounted for by the increased consumption of tea and coffee, which are now almost in universal use; but there cannot be a question that it is mainly owing to the exorbitant duties with which malt, and the ale or beer manufactured from it have been loaded, and the oppressive regulations imposed on the manufacture of malt and the sale of beer."

The authority I have just quoted is Mr. Mac Culloch [*Commercial Dictionary*, MALT]. I see an hon. Gentleman thinks he has an answer to that statement. I should like him to reconcile his answer with the statement made by the right hon. Member for Halifax, that he could show by statistical returns relating to malt that the quantity of malt would not be materially increased by the remission of the duty. There is another and a most important conclusion to be drawn from these returns, and it is one which I think upsets almost the whole argument which was addressed to the House on this point by the right hon. Baronet the Member for Halifax. It is this, that as you increase the duty you diminish the consumption per head. I have here some tables, the principal results of which I will briefly state to the House. One hundred years ago—in 1750—the quantity of bushels of malt which were made in this country was 29 millions and a fraction, the duty being 6*d.* per bushel, and the consumption from five to six bushels per head. Now let us see whether the consumer of the country has been benefited by your mode of dealing with this question since 1750? Between that year and 1801 the duty was increased first to 1*s.* 9*d.*, then it was fixed at 1*s.* 4*d.*, and at last it was increased to 2*s.* 5*d.* per bushel. What was the effect of this? In 1801 the manufacture was 30,000,000 bushels, the duty being 2*s.* 5*d.* per bushel, and the consumption, which was formerly 5 bushels per head, had been reduced to 3 bushels and 3 gallons. Following up these documents, I will next take periods of ten years each, and show how your tax has operated on the manufacture of malt in this country. Between 1801 and 1811 the duty was raised to the enormous amount of 4*s.* 5¾*d.* per bushel, but was subsequently reduced to 2*s.* 5*d.* What was the quantity made in 1811? Instead of being 30,000,000 bushels as in 1801—I am speaking now of Great Britain—it was only 25,000,000 and a fraction bushels (the duty being 2*s.* 5*d.*), and the consumption per head, instead of being 5 bushels, as in 1750, or 3 bushels 3 gallons as in 1801, was now reduced to 2 bushels 4 gallons per head. In the period between 1811 and 1821, the duty was raised to 3*s.* 7½*d.* per bushel. What was the consumption per head? It fell from 2 bushels 4 gallons to 2 bushels 1½ gallons—the increase of tax and the diminution of consumption went on together. I now take the period from 1821 to 1831, the duty having been reduced to 2*s.* 7*d.* in the interval. The effect of that reduction was instantaneous. Notwithstanding all that was said by the right hon. Member for Halifax, and repeated to-night by the hon. Gentleman opposite, in 1831 the quantity of malt manufactured rose to 33,000,000 quarters, the duty being, as I have said, 2*s.* 7*d.* per bushel, and the consumption per head to 2 bushels 2 gallons. That is the return, and a most important return it is. The hon. Member very properly reminds me that the beer duty was taken off in 1830. No doubt it was; and it shows how the increase of consumption followed the reduction of duty. The hon. Member for Marylebone (Sir B. Hall) said last night—and I confess I wonder where he got his statistical figures—that the remission of that beer duty had no effect upon the price or the consumption of beer. But I will show that it had; for I will read another table precisely showing the progress of consumption, in bushels of malt from that year, 1830, to 1840; and it will be seen that the effect of taking off the duty in 1830 was immediately perceptible; for, while 23,428,000 bushels were made in 1829, and 26,000,000 in 1830, the manufacture rose in 1831 to 32,965,000 bushels; in 1832 it was 31,669,000, in 1833, 33,769,000 bushels, and it continued to increase until 1840, when it reached 36,652,000 bushels. That was the effect of what was equivalent to a great reduction of duty. But the right hon. Member for Halifax went on to argue that there was a great falling-off in 1841–2. I reminded him that 5 per cent was then added to the duty on malt, and—mark the effect—the 5 per cent then added appears to have sunk the quantity of malt manufactured to 30,956,000 bushels in 1841, and 30,760,000 bushels in 1842. It has, indeed, been remarked that these were years of considerable distress, and that it was therefore distress as well as the addition of the 5 per cent to the duty that concurred to diminish the quantity of malt consumed. I wish to state everything fairly. Probably the distress had something to do with the diminished consumption: giving you credit for this fact, you, on the other hand, give me credit for the other facts I am going to mention. You will not say that all the years from 1842 downwards have been all years of distress; nor do I say, that in the last four years the manufacture of malt has not increased—in 1849, it amounted to 32,456,606 quarters; in 1850, to 35,207,946; in 1851, to 32,875,662; and in 1852, to 35,202,955; but what I wish to point out to you from these returns is this, that notwithstanding that there has been great prosperity in the country—notwithstanding that everything else has gone on improving—notwithstanding the manufacture of malt itself has to a certain extent increased, yet in the year 1851 the malt manufacture in this country is actually less than it was in 1840. Now, take all these facts together, and I say it is impossible to arrive at any other conclusion than this—that the quantity of malt, and the consequent consumption of beer in this country, has been materially impeded by your legislation; and if that be so, may not a remedy be found by reducing the malt duty one-half? May you not fairly expect—when you see that during the last 100 years the consumption of malt has diminished as your taxation has increased—that the manufacture of malt may increase as your taxation diminishes? If for no other reason than this, I say that for the benefit of the consumer (for it is as it affects him that I am now arguing this case), I think that the remission of duty, as proposed by my right hon. Friend, is a "wise, just, and beneficial measure." [*Ironical cheers.*] I suppose you will admit it is wise if it increase the quantity consumed of that which is a wholesome and favourite beverage. I suppose you will not deny that it is just if it enable the agriculturist to cultivate his land at a greater advantage; and I suppose you will admit that by both these results some benefit may be conferred on the community in general.

Having thus dealt with the subject of malt, another great duty we propose to modify is the duty upon tea; but little need be said by me upon this subject, for you all, I believe, agree that it is a beneficial proposition. It is the part of the scheme of my right hon. Friend, for which he is entitled to the greatest credit, as being a subject with which no previous Chancellor of the Exchequer has dealt so wisely and so well. The repeal of the tea duty will be admitted to be very beneficial to the people of this country in three points of view, socially, commercially, and financially. Socially it will benefit them, because it will cheapen for the poor of the country that beverage which I believe upon the whole is the most required by them. Commercially it will be beneficial, because it will open to us a much wider trade with the East, in the same way as the opening of the trade formerly carried on by the East India Company alone conferred many benefits on the country, and our manufacturers will find a vastly enlarged exchange for their goods in the East. Financially you will find it will be beneficial, because, in the first place, we see that when former Chancellors of the Exchequer have dealt with the subject by remitting the tea duties, they have increased the consumption of that article to an enormous extent. There were two periods when the tea duties were diminished—one in 1745, and the other in 1784. Previously to 1745 there was an excise duty on tea of 4*s.* per pound, and a customs duty of 4 per cent *ad valorem.* In 1745 the excise duty was reduced to 1*s.* per pound, and 25 per cent *ad valorem.* In the five years ending Michaelmas, 1745, the consumption was 768,520 lbs.; in the five years after 1745 it had increased to 2,360,000 lbs. In 1784 Mr. Pitt reduced the duty from 119 to 12½ per cent. "This measure," says Mr. M'Culloch, "was signally successful; smuggling, and the practice of adulteration, were inmediately put an end to, and the legal imports of tea were about trebled." To this I may add that in the course of ten years it was actually quadrupled.

I have now dealt with the first portion of the subject, showing the principles on which the Government proceed, and the course by which they desire to carry out those principles. We are acting upon your own principles of commercial freedom, and we apply that principle to those two great duties—the duties upon malt and tea, the reduction of both of which I believe will benefit the consumer as well as the producer and the manufacturer in this country. Upon that point of the Budget I think you can take no reasonable objection.

I now come to the second principle that is contained in the Budget, and that principle has reference to the mode in which we deal with those interests that have been peculiarly affected by recent legislation. You cannot say that we are acting inconsistently with that system in any degree. Three great interests have been affected by recent legislation—the colonial, the shipping, and the agricultural interest. What do we propose to do for each of them? For the colonial interest we propose to enable it, consistently with all your principles, to deal with the produce of th sugar-producing estates in the manner most conducive to their own interests. Is not that just? With regard to the shipping interest, it will be greatly relieved from the restrictions which the noble Lord the Member for the City of London admitted on the hustings affected that interest, by the measure proposed by my right hon. Friend the Chancellor of the Exchequer.

And as to the agricultural interest, we shall benefit it, as we hope, to a certain extent, by enabling the owners and occupiers of land to cultivate their own soil in a way which they could not have cultivated it so readily if you leave upon them the same burdens as those which pressed upon them before. Now, Sir, the hon. Gentleman the Member for the West Riding (Mr. Cobden) argued this question with perfect fairness in the early part of the evening, and he makes an admission most inconsistent with his own opinions with respect to remitting the duties upon malt. That admission is, that if you could remit these duties altogether you would be doing for the agriculturists no more than had been already done for the calico manufacturers by taking off the duty of 3½*d.* per square yard: I think that was done in the year 1830. The fact was pointedly alluded to by the hon. Baronet the Member for Hertfordshire (Sir Lytton Bulwer). Mark the effect produced by that remission, and apply it by analogy to the case of malt. The effect of that remission was this, that whereas in the year previous to 1830—previous that is to the remission of the duty on calicoes—the quantity of calico exported amounted only to 89,000,000 of yards. In ten years afterwards, that is, in 1845, the export of printed calicoes only, amounted to the enormous quantity of 329,240,892 yards, of which the declared value was 7,732,735*l.* If you could take off the whole duty on malt, I should be glad to know why that would not lighten the springs of industry as applied to the soil, in the same way that you lightened the springs of industry as applied to manufactures by the remission of the duty on calicoes in 1830? Unquestionably, it would have the same effect—unquestionably it would be consistent with your late system of legislation—unquestionably it would be beneficial both to the producer and to the consumer. But then it is said, if you cannot take off the whole duty you had better not take off one-half, because you will still have, notwithstanding that reduction, all the odium and inconvenience of the Excise. Now, Sir, that argument merely amounts to the old story—if you cannot do everything, you must do, therefore, nothing. I appeal to the hon. Gentleman the Member for the West Riding, and I will take his own illustration; I will ask him whether, supposing there were 5,000,000*l.* of duty on cotton at this moment, and you could not take off the whole because the revenue could not afford it, would it not be just to take off a part? Would he not say that it would be reasonable to give them an instalment? Would he not say it would be prudent to obtain as much as he could now, with a view, in the end, to take off the whole? By no person could such an argument be more forcibly and pointedly put than by the hon. Member for the West Riding; and I will call upon him—for it is consistent with his own principles—to apply that argument for the benefit of the agriculturist; and, as he would not sanction unnecessary restrictions on his own business, so I would call on him to remove those restrictions which are equally unnecessary on the business of other classes. On this question of malt we are not without great authorities. There are three authorities in this House that must be always regarded with the greatest deference and respect on such a question as this. I cannot quote a higher authority than the hon. Gentleman who first advocated the repeal of the corn laws in this House, and who, in fact, may be considered as the primary mover of that great change that has since taken place, and for the success and triumph whereof the highest credit is so freely given to him: I mean the hon. Member for Wolverhampton. What did he say with reference to this measure? He said—

> "Would the landed interest be willing, if the malt tax was taken off, to release the country from the tax of the corn laws? for of this he was sure, that all those who were now injured by the existence of the monopoly, which he might term the community at large, would be ready, nay, be anxious to get rid of it by acceding to those terms. The produce of the malt tax would be lost to the revenue, no doubt; but he was perfectly satisfied that the public credit would not be endangered, but strengthened, by the fetters on the industry and commerce of the country, being removed. Four millions and a half was a small sum indeed, compared with what might be raised through the medium of taxation, if the energy of the country were allowed its full and natural play."—[3 *Hansard*, xlvi. 358.]

According to that opinion, the loss of 4,500,000*l.* would be a small one compared with what might be raised by the medium of taxation, if the energy of the country were allowed its full play; but Her Majesty's Government only propose to take off 2,500,000*l.* The next authority is the right hon. Baronet the Member for Carlisle (Sir James Graham). I quote those authorities not for the purpose of taunting them now with a change of opinion, but for the reasons that are adduced by these Gentlemen for making this change, which, I think, are strong and overwhelming. What are the reasons which the right hon. Baronet the Member for Carlisle has given for the remission of the malt tax? He said—

> "It enhanced the price of beer; this enhanced price of beer diminished the demand for it; the diminished demand caused a smaller quantity of barley to be cultivated; and the lessened price of barley was, *pro tanto*, a tax on the barley land; or, as Adam Smith, he believed, said, it had the same effect as if the barley land were stricken with barrenness. That if five quarters could be grown, according to the usual nature of things, with the malt tax only three quarters could be produced. He was convinced, however, that if they repealed the corn laws, the malt tax would not survive a single year. The Gentlemen opposite said that if there was to be free trade in corn, there should be a free trade in all articles of consumption; and he (Sir James Graham) felt certain that if this was carried out, no power on earth would be able to maintain the malt tax for another year."—[3 *Hansard*, xlvi. 685.]

[An Hon. Member: When was that?] In the year 1839. The last authority I shall quote is the hon. Member for the West Riding (Mr. Cobden). The hon. Member for the West Riding put it even on higher ground than either the right hon. Baronet the Member for Carlisle, or than the hon. Member for Wolverhampton. The hon. Member for Wolverhampton put it upon this ground, that 4,500,000*l.* were as nothing if you could only lighten the springs of industry in the country; and the right hon. Baronet the Member for Carlisle put it upon this ground, that if you continued the malt tax you would strike the barley land as it were with barrenness; but the hon. Member for the West Riding put it upon still higher ground. He said it was a debt due to the farmer since the repeal of the corn laws. He says, in a speech at a public meeting, so late as the 12th of January, 1849—"We sympathise with the farmers. We never will tolerate one shilling duty on corn; but we will co-operate with them in getting rid of that obnoxious tax the malt duty." Now, mark these words: "We owe the farmers something, and we will endeavour to repay them in kind." And yet, when the first instalment of this debt is asked, the hon. Gentleman rises in his place in this House, and denies the payment even of that first instalment, although he made no objection to the repeal of the whole of the tax.

I have now, I think, shown that the second principle in this Budget is a principle which ought to meet with the approbation of the House. I shall next apply myself to the third question, which relates to the readjustment of the direct taxation of this country. Assuming I am right that the remission of the tea and malt duties will be beneficial to the country—assuming that I am right that, consistently with those principles, and consistently with the principles which you have established—the great principle of commercial freedom—there is no injustice in relieving any interests which have any restrictions or impediments resting upon them that do not rest on other classes of the community—assuming I am right in the two proposals which I think are involved in the first two principles to which I called the attention of the House, let me see if I may not legitimately and freely carry into execution the result of those principles by the mode in which we propose to adjust the direct taxation of this country. Sir, the hon. Gentleman who last sat down has told us that direct taxation was first established in order to commence a great commercial reform. I say that an addition to the direct taxation (if it be really an addition, as to which I shall presently call the attention of the Committee) as now proposed, is to enable us to complete that great commercial reform. You put on the property and income tax originally, not, as you have said repeatedly in this debate, because there was a deficit. There was a deficit, it is true, but the deficit did not require you to add to the taxation of this country 5,000,000*l.* a year—2,500,000*l.* would have been sufficient for this purpose—I believe 2,000,000*l.* would have been sufficient; but you put on direct taxation not merely to get rid of a deficit, but also to commence a great commercial reform. Well, it is true we have no deficit now, but the addition to the direct taxation (if it be an addition) which we propose is put on to complete this great commercial reform in the same way you originally commenced it. What is the direct taxation with which we deal? The house tax, and the tax on property and income. We deal with the house tax by increasing its amount, indeed, as compared with the year 1851, but not as compared with the ten or twenty preceding years. We extend the area upon which that house tax is to be assessed, and we vary the relations of the property and income taxes. What is the first great objection taken to this? It is the objection raised by the right hon. Baronet the Member for Halifax (Sir Charles Wood). He says, "You are introducing by this Budget an oppressive direct taxation." I say, "We are not increasing the direct taxation of the country as compared with the year 1852, but we are remedying an injustice which the right hon. Member for Halifax first perpetrated by repealing the window tax, and substituting a house tax of the most unequal character." In the year 1850 your window duties, which were direct taxation, yielded to the revenue 1,950,000*l.* annually, and the house tax, when increased in the way which we propose, will yield annually about 1,720,000*l.* So that actually in 1852 the alteration of the house tax, instead of increasing the direct taxation of this country as compared with what it was in 1850, will leave it 250,000*l.* a year less than it was then; while it will remedy the admitted failure—admitted on all sides—the failure of the right hon. Baronet the Member for Halifax when he substituted his partial and unequal house duty for the window duty previously existing. Well, then, do you object to this tax upon any philosophical or scientific ground, or upon any economical principles? Remember the reasons for which you repealed the window tax. They were two—that which my right hon. Friend the Chancellor of the Exchequer has adverted to was one—namely, the improvement of the sanitary condition of the people; the other was, because by the different percentage that was placed on different houses it pressed very unequally on different classes. What was the remedy for that? Was the remedy for that to sacrifice millions of the public revenue? No, the remedy for that was to substitute a direct tax which would not interfere with the sanitary condition of the people, and which should not be unequal in its pressure upon different classes. If you had brought forward the house tax as a substitute for the window duty, you would have done what was just, and you would have done that which all the best political economists have invariably recommended; for, as we have heard during this debate, the house duty is probably the fairest direct impost you can place upon the different classes of the community. ["No, no!"] Well, if you do not admit the word "all," I will change the phrase, and say "the best" political economists. Whether we go back to Adam Smith, or take the most modern political economists, I mean Mr. Mill and Mr. M'Culloch, we find that these able and well-informed writers say it is the fairest income tax you can impose, and they gave this reason for it—because the rent which a man pays for his house is the best criterion of that which he has got to spend. But there are additional reasons why a house tax is peculiarly fair and unobjectionable. There are these two great reasons: first of all, because the house tax does not interfere with any branch of domestic industry; and, secondly, because the subject of the tax being visible or tangible, and unconcealed, it is not open to fraud or perjury. In both these respects the house tax is greatly superior to any tax from excise you can put on, or to the property or income tax, which must necessarily be—as we have seen it to be—both vexatious and unequal, there would not then seem anything unreasonable in now increasing the direct taxation of this country in the shape of a house tax, so as to obtain from it something—not equal—but something less than it yielded in 1850. Another objection has been taken: it is said we are disfranchising a vast number of the constituency of this country—and from whom does this argument come? It comes from those whose great theory is that taxation and representation are convertible terms, and ought to go together. They who wish that the 10*l.* householder, or the possessor of any income which may fairly be considered as the income of a 10*l.* householder, should be exempt from this tax, are the very persons who wish that 10*l.* householders should return Members to this House, or that the possessors of incomes by which the parties may be fairly considered as 10*l.* householders shall constitute the great bulk of the constituent body of the country. Now, I have no hesitation in saying, that if you proceed upon that principle you will inflict a greater blow upon your representative system than ever was inflicted upon it before. For this reason—because if you pursue that system the untaxed constituencies of the country will be returning Members to this House who are to take such care of those who return them as to impose no tax other than that which is to be borne by others and not by themselves. Now, this proposition is so preposterous that I am confident, if hon. Gentlemen will only fairly look into it, they will see that they cannot maintain it for a moment. There is one other objection I have heard in reference to this question—I do not think the objection has been been taken in this House, but it was taken by an hon. Baronet (Sir B. Hall), when addressing some of his constituents in the borough of Marylebone. Unless the hon. Baronet has been misrepresented, his objection is, not that you are extending the tax to 10*l.* houses, but that having extended it to 10*l.* houses, you should also extend it to houses somewhat lower. I cannot agree in that view of the case. I think myself that if the propositions which my right hon. Friend has made to the House, in reference to direct taxation, have one merit in them greater than another, it is this, that he is putting the direct taxation of this country upon a fair and reasonable footing. What do I mean by that as applicable to the suggestion of the hon. Baronet? I mean this: that if there be one principle more than another which ought to be recognised in the direct taxation of the people of this country it is, that in charity at least, if not in justice—certainly I think in justice as also in charity, too—you ought never to compel any one to contribute his quota towards the public revenue, unless his means may fairly be considered as sufficient to provide for himself the necessary articles of healthy subsistence. There is nothing unreasonable in that proposition when you come to consider of it. There is a *minimum* which is necessary, and that *minimum* ought not to be merely what would provide for the actual articles of subsistence, but what will provide for the ordinary comforts of life. My right hon. Friend has done that first of all by fixing a *minimum*, below which direct taxation should not descend—in the case of property 50*l.* a year, and in the case of the house tax 10*l.* a year, which, taking the rent a man pays as one-fifth of his income, gives precisely the same *minimum* as that which was fixed upon for the *minimum* for the property tax. For these reasons I think that the exemption we have commenced with is at a point where we ought to commence, and, without pledging myself to the exact figures, I think, upon the whole, that the 10*l.* house tax and the 50*l.* property tax are about the *minima* from which you should set out as being the points at which you should tax either a person's house or his means of subsistence. I have now gone through the question of the house tax. The other subject of direct taxation which we have varied, is the income and property tax. I hardly know whether I need defend the alterations we have there laid down. The hon. Member for the West Riding has completely and totally upset all the arguments which have been urged against them. He has shown the fairness of a distinction between precarious and fixed incomes so clearly, that, in point of fact, the arguments that have been urged by hon. Gentlemen on that side of the House have been answered by him. But I will not shirk the matter; I will not shrink from the objections which have been taken. The objections which have been taken to it are principally two—the one intimated by the noble Lord (Lord John Russell) the other night, and strongly pressed by his former Colleague the Member for Halifax (Sir Charles Wood), and the other objection taken by my right hon. Friend the Member for the University of Oxford (Mr. Gladstone). These two objections are objections, I agree, of such a formidable character, that if they could be sustained, they would materially affect the financial scheme of my right hon. Friend the Chancellor of the Exchequer. The objection of the noble Lord is this—that we have increased the number of exemptions; the objection of my right hon. Friend the Member for the University of Oxford is, that we have broken faith with the public creditor. Now I will deal with both these objections. First of all, I beg the Committee to bear in mind the present exemptions in the case of the Income and Property tax. They are these: You exempt property in Ireland of all classes and descriptions, the owners of which are resident there; and you exempt every person whatever whose income is under 150*l.* a year, whether the income be certain or precarious. But what are our exemptions? Instead of exempting every class of property in Ireland, we for the first time exclude from this exemption the salaries of persons in Ireland, and the annuities of persons derived from funded property, residing in Ireland. In that respect, therefore, we have diminished the number of exemptions. We have also reduced the point of exemption with reference to precarious incomes to 100*l.* a year, instead of 150*l.*, and we have reduced the point of exemption besides with reference to fixed incomes to 50*l.* instead of 150*l.* Now, how the noble Lord could gravely tell us, with the knowledge of these facts, that there was a great increase in the exemptions, both as applicable to Ireland and to England, I certainly am at a loss to comprehend. He may say the alterations we have made are not alterations equitable in themselves; but I think I may defy even the noble Lord, with all his great abilities, to show that we have actually increased the number of exemptions. How then have we dealt with this Property and Income tax? Variations we have made of an exceptive character, but only such as are necessary to put the tax on an equitable footing. It is said we have benefited the farmer. What have we done as regards the farmer? We have proceeded on the notion that since the repeal of the Corn Laws the proportion between profits and rent is not what it was before. Therefore an alteration should be made; but these are details which you will have to go into; and I believe you will have it demonstrated to you that the proportion between profits and rents is not what it was before, and for that reason, as well as for the unjust way in which the tax pressed on the farmer, we have made an alteration in that respect. Another alteration we have made, is with respect to the incomes of clergymen under 100*l.* a year; and we have done this, because the income of a clergyman or a curate under 100*l.* a year, is, in fact, analogous to any other professional income. His income does not merely depend on his life, but also on his health and strength. If his health and strength fail him, he must give up that income, or find a substitute; and by a fair analogy a clergyman with an income under 100*l.* a year is as much entitled to a reasonable consideration as a professional man, inasmuch as the income of a professional man, like that of a clergyman's, is not one which necessarily lasts to the end of his life. That is the second great variation. What is the third? It is the taking off a fourth from precarious incomes. Why have we done this? Because upon the reasoning of all those best acquainted with the subject, probably the fairest average you can strike, having regard to the various ages, health, and strength of professional men, a fourth of their income is about the sum which a man can lay by, as a provision either for his children or for old age. I do not exactly pledge myself to the matter of detail; but I say the principle is a just one. I now think I have shown—or at least I have endeavoured to show—that when the noble Lord talks of increasing the number of exemptions, he ought rather to have said we have diminished the number of inequalities, that we have redressed the evils which have always been pointed out in the Income and Property tax, which everybody admits, and of which everybody complains. Having done this, the arguments of the noble Lord as to the alterations we have made in the Property and Income tax, cannot be supported on the ground that we have increased the number of exemptions, whatever other arguments he may offer to the House to show that the variations which we propose are not expedient or not beneficial. I now proceed to a much graver objection, and that is the objection of my right hon. Friend the Member for the University of Oxford. My right hon. Friend says, we have broken faith with the public creditor [Mr. GLADSTONE: Hear, hear!] If you make out that proposition, I say this Budget ought not to stand for a single moment. But have we broken faith with the public creditor? The argument has been put in two points of view—first, in regard to Ireland; and, secondly, in regard to England. As regards Ireland, it is said we are taxing the fundholder when we are not taxing the landowner; and the inference drawn from that is, that since in no case you are justified in taxing the fundholder at all, unless you tax persons who are in a similar position with regard to other property, you are committing a breach of faith with the public creditor. Now in the first place I deny altogether that the Irish fundholder is exempt, any more than the English fundholder, from this Property and Income tax, upon the ground of any national or legal obligation. He is exempt on one ground, and on one ground only, and that is the ground of residence in Ireland. The Act 5 & 6 *Vict.*, c. 35, which is called "An Act for granting to Her Majesty duties on profits arising from property, professions, trades, and offices, until the 6th day of April, 1845," puts the tax in Schedule C on all profits arising from all "annuities, dividends, and shares of annuities," &c., and charges upon them 7*d.* in the pound, without deductions. The duty is imposed without exemptions; and when you come to the rules by which the exemptions are constituted, under section 88, you will find that the only ground of exemption by means of which the Irish fundholder can escape from this tax is solely and entirely a question of residence. In the 88th section, containing the rule for assessing the tax, and charging the duties under Schedule C, it is said the duties

—"shall extend to all public annuities whatever payable in Great Britain out of any public revenue in Great Britain or elsewhere, and to all annuities payable in Ireland out of the revenue of the United Kingdom, to or for the use or benefit of any person not resident in Ireland."

How then does the matter stand? Let the House bear this in mind—the amount of dividends paid to the public creditor in Ireland during the year ending June 5, 1852, was 1,350,462*l.*, of which there were exemptions from income tax 1,247,395*l.* 100,000*l.* per annum, therefore, of Irish annuities was charged with income tax to the Irish stockholders. Now, I ask my right hon. Friend this question: if the Irish fundholder is exempt upon the ground of national engagement, why is not that engagement, like every other national engagement, universal in its application? The answer is plain. It is residence which exempts him, and residence only. The national obligation does not exempt him; for, if it did, the mere fact of an Irish stockholder residing in Ireland ought not to be an exemption more than the mere fact of his being a resident in England ought to charge him. But that is not all. If this be a great national engagement—the breach of which the public creditor has a right to complain of—the English creditor and the Irish should be treated in the same manner. If Ireland be a part of the United Kingdom, why is the English creditor to be taxed while the Irish creditor is allowed to go free? The fact is, the exemption is not a national engagement, but it was granted for this reason: that all persons resident in Ireland were supposed to be living in a country so much distressed, that you ought to allow them to recover from that distress before you taxed them, and that is the sole ground why either the Irish landholder or the Irish stockholder is exempt from the payment of this tax. But I go further. I adopt the argument of the right hon. Gentleman the Member for Halifax, with reference to the mode in which we have dealt with this tax as applicable to Ireland. He has said, "I do not approve of the extension of it to Ireland, because, when Ireland is just recovering from its great embarrassments, you ought not to tie another weight round its neck until it is clear." I think that argument is a sound one; but, mark you, it does not apply either to the salaried officers or the holders of funds, because the embarrassments which afflict that country no more afflict those individuals than they do the English salaried officers and fundholders. I say, then, the extension of the tax by my right hon. Friend is a just extension in the way he proposes it. So much for the question as it relates to the Irish fundholder; and now let us look at the case of the English fundholder. Have we broken faith with the public creditor who is a holder of funds in England? If we have, it must be on one or two grounds—either upon the ground of a Parliamentary contract, or upon the ground of moral, equitable, or legal obligation. I ask my right hon. Friend (Mr. Gladstone), with all his wonderful astuteness of mind, to say whether there is a flaw in the argument I am now addressing to the House? Do you put it on Parliamentary contract? You did in the first instance. What was that contract? That you should never impose any tax on the public creditor. But what have you done since you first imposed a property and income tax? You have taxed him since then 3*l.*, 5*l.*, and 8*l.* per cent, and yet your Parliamentary contract remains. I do not complain of your putting a tax upon him; but you cannot say we are breaking a Parliamentray contract for the first time when it was broken the very first time that this tax was imposed. Then, if you put it on any ground at all, you must put it on the ground of moral or equitable obligation. But if you put it on that ground, you put it on one which is universal in its application—applicable alike to all holders of stock, in all times and in all places. Yet what have you done? You tax the larger creditor, who has as much right to claim the benefit of your national engagement as he who has less than 150*l.* a year; and you let loose the smaller creditor because he has not got so large an income. If there is a national engagement upon you not to tax the national creditor at all, what right have you to tax the larger creditor, and to let the smaller one go free? But is that all? No. You have entered into different contracts with the different fundholders; you contract with one for 3*l.* per cent, and with another at a much higher rate of interest. Now what is the effect of that contract when you proceed to tax him? Why, it is this: you tax in the one case interest alone, and in the other case capital as well, because every time you demand 7*d.* from the holder of terminable annuities you are taxing a part of his capital. Both these cases may probably be justified upon other grounds; but I will defy even my right hon. Friend (Mr. Gladstone) to justify this mode of dealing with the national creditor upon the ground of national engagement. If that be so, how ought we to deal with the Irish or English fundholder? My opinion is that the question you have to ask yourselves amounts to this, and this only: Are you taxing him in the same manner as you are taxing every other class of the community, the quality of whose incomes and the nature of whose estates in respect or duration are the same? If you are, you are doing what is just; otherwise not. Viewed in that light, the whole question is explained. You may tax the English or the Irish fundholder if the quality of his income or the nature of his estate is the same as that which you are taxing in the hands of any other person. But if they differ, then I agree you have no right to tax them. The question resolves itself, therefore, into this: Whether you are justified in making a difference between precarious and certain incomes? If you are justified, you must put the fundholder either in the one class or the other. No one would say you must put him into the class of precarious incomes; and, consequently, you must put him into the class of incomes derived from certain sources, and you must tax him with all the exemptions which that class may claim. I am sorry to have troubled the House at this length; but when the public faith with the public creditor was said to be broken, it is but right that we should look at this question, not in a party view, but fairly and honestly, in order that we may see whether we are dealing with the fundholder in an unjust or in an inequitable manner, or in a way which would amount to a breach of the national faith. For the reasons I have given, I think I may say you are clearly not; and with confidence, therefore, I ask the verdict of the House in favour of the principle of the proposition of my right hon. Friend.

Such are the propositions which have been submitted to the House by my right hon. Friend the Chancellor of the Exchequer. I have stated the principles on which we proceeded. I have pointed out the objects we had in view, and the just results of those principles. I challenge you to show either that those principles are unsound, or that our objects are otherwise than beneficial to the whole of the community; and although I do not see the right hon. Gentleman the Member for Halifax (Sir Charles Wood) in his place, I must take leave to add that notwithstanding the tone of self-constituted superiority which he assumed the other night, I will defy him or any of his supporters to prove that the propositions of my right hon. Friend the Chancellor of the Exchequer are propositions which are shaking and impairing the credit of this country, or tarnishing, as he said, the good name of the nation. When the right hon. Baronet told us that my right hon. Friend need not be ashamed to follow the example of the Administrations of Mr. Pitt and of Lord Liverpool, and amend his Budget in the Christmas recess, Sir, if there were any necessity for my right hon. Friend to amend his Budget, he need not seek for precedents in such olden times—he would find a precedent in a late Chancellor of the Exchequer, who in the course of one year amended and re-amended his Budget, three and even four times; and that Chancellor of the Exchequer was the right hon. Baronet the Member for Halifax (Sir Charles Wood). Now, my right hon. Friend will find no necessity, as I believe, to alter his Budget in any material point. I think you will find that the miscalculation to which the right hon. Baronet has adverted are his own, and not my right hon Friend's. I think you will find that, although the measure is a large and comprehensive one—so large and so comprehensive, indeed, that the right hon. Baronet opposite seemed to wish him to divide it into two halves, making one of them his Budget for 1853, and the other half, I suppose, the Budget for 1854—yet that Budget is not so large nor so comprehensive but that my right hon, Friend will show to this House—and I trust that he will at least have the opportunity of doing so—that he can do in one year what one Chancellor of the Exchequer would do in two. But here I must ask—and I would not have gone into the subject at all unless it had been for the disparaging tone which, I think, was somewhat improperly made use of—I must ask, whence is it that these extraordinary attacks are made against my right hon. Friend? What is the reason, what is the cause, that he is to be assailed at every point, when he has made two financial statements in one year, which have both met with the approbation of this House, and I believe also with the approbation of the country? Is it that you are jealous of his success? Is it because he has laboured hard and long—contending with genius against rank and power and the ablest statesmen—until he has attained the highest eminence which an honourable ambition may ever aspire to—the leadership and guidance of the Commons of England? Is it because he has verified in himself the dignified description of a great philosophical poet of antiquity, portraying equally his past career and his present position?—

> "Certare ingenio; contendere nobilitate;
> Nocteis atque dies niti præstante labore
> Ad summas emergere opes, rerûmque potiri?"

My right hon. Friend has attained that position, and who will grudge it to him? I will not speak disparagingly—God forbid I should!—of the right hon. Gentleman, the Member for Halifax—his power and ability are admitted; but, without disparaging him, I think I may say the Budget of my right hon. Friend may bear comparison with any of his. The best judges in the country will declare, as I believe they have declared, that by his Budget he has put himself on a level with the boldest and at the same time with the most prudent financiers whom the country has ever seen. They will tell you, at any rate, that in the greatest emporium of commerce in the globe, these plans of his have reflected on him, in the judgment of those best capable of judging on the subject, of the highest credit. They will tell you, as you have been reminded to-night, that he has disproved by his propositions the common fallacy which the world runs away with, that a man of genius cannot be essentially and practically a man of business. And, whatever may be the result of this debate—whatever may be the fate of the present Government—whatever may be the effect of that ill-assorted alliance which I see before me—the country will see, I firmly believe, that my right hon. Friend has earned for himself a reputation as extensive as the Empire for which he is so greatly legislating, and a gratitude as permanent as the honest generosity of a thankful, enlightened, and reflecting community.

Mr. GOULBURN said, he was sure that his right hon. Friend who had just sat down would not impute to him that he rose with any feeling of "self-constituted superiority" to criticise the Budget which was the subject of that evening's debate. His right hon. Friend would do him injustice, also, if he supposed him to envy the right hon. Gentleman the Chancellor of the Exchequer, or to be jealous of the credit to be derived by him from the course which he had thought it his duty to pursue. He (Mr. Goulburn) rose to oppose the Budget, not from any factious or hostile feeling, which had been imputed on the other side of the House to those who took a different view on this subject from themselves, but in rigid adherence to a principle on which he had always acted when administering the finances of the country, and which he had steadily maintained whenever he had been in Opposition. That principle was the maintenance of a surplus revenue—a principle which he believed to be founded on the highest sense of national interest, and from which he was not prepared to depart, either in deference to the opinions of his right hon. Friend—greatly as he respected them—or in deference to the talents of the right hon. Gentleman the Chancellor of the Exchequer. He thought he should be able to satisfy the Committee, that, able as was the speech of his right hon. Friend the Home Secretary, he had omitted that point in the consideration of the Budget, upon which, of all others, it was most essential that the Committee should come to a correct conclusion. The right hon. Gentleman, at the outset of his speech, laid down the principles on which he said the Budget was framed. He told them, in the first place, that it was framed in strict conformity with the Votes of the House of Commons—with the view of maintaining and prudently extending the system of free trade or unrestricted competition. He told them, in the second place, that the Budget dealt with the distressed interests in a manner which, while affording them relief, would not in any way controvert the principle which had been generally laid down for the guidance of that House; and he stated, as a third principle, that its object was to apply equal taxation to every class of the community. The right hon. Gentleman objected to those who thought fit to oppose the Budget in parts; that objection, however, would not apply to him, because he objected to the main principle on which it was founded. The right hon. Gentleman took credit to the Government for having in this transaction followed the example of those who on previous occasions introduced what were called free-trade measures, and he asked triumphantly, "How did you work out your free-trade measures?" "You took off," he said, "large Customs and Excise Duties, and thereby professed to give relief to the suffering interests of the community; and," said he, "we now propose to reduce large Excise and Custom Duties in order to give relief to certain classes of the community; and therefore we consider that our policy will stand on a par with yours." But mark how different was the basis on which this and former Governments proceeded. They proceeded on the basis of having first secured by a skilful management of the receipts and expenditure of the country a large available balance, out of which they could afford to make reductions. They did not, in the first place, create a deficiency, and then call upon Parliament to make it up by fresh taxation. That was the broad distinction between the course pursued by the present Government and that by those who had preceded them. And, although the right hon. Gentleman had said that the sense entertained of the Budget out of doors had been manifested by the acclamations with which the Chancellor of the Exchequer had been received in the City, he greatly doubted whether that applause would be repeated two years hence, when by the calculation now before the Committee, there would be no surplus revenue; and he doubted still more, when the deficiency would have to be made up by loans or fresh taxation, whether the applause which the right hon. Gentleman had hitherto enjoyed would be continued to the future stages of his official career. But the question before the Committee involved higher considerations than the popularity of the Chancellor of the Exchequer. It was not even whether they ought to relieve a certain class of consumers in the country from a portion of the duty which they at present paid on their beer; or whether the consumer or the brewer would receive the largest portion of the proposed benefit. The question before the Committee involved the stability of their financial system. The question was, whether their finances were in that state that they could afford to part with 2,500,000*l.* of productive duties which might press—he did not deny it, for all taxes did so press—in a certain degree upon the general consumers of the country, but the pressure of which was, of all the taxes to which they were subjected, the least oppressive? And what was the time at which this measure was propounded? They had been latterly employed in adding to the defences of the country—not with a view to hostile operations, but with the view of placing the country in that condition of safety in which every great nation ought to stand. But had the Government forgotten, that if there was one element of safety to a State—one ground of defence on which they could rest with greater confidence than another, and one which it was not possible at the instant to secure, it was an unembarrassed state of their finances? If they were to go on creating deficiencies—if they were to enter the service of each year with the confident expectation that at its close they would be involved in a debt, they would not only raise up obstacles to the adequate defence of the country hereafter, but would inflict a blow on public credit, for which no amount of military force could compensate. The Budget of the right hon. Gentleman proceeded on the supposition that at the end of the next financial year he would have a surplus of 400,000*l.*, and that only derived from a diminution of the balance in the Exchequer. But letting that circumstance pass, with a surplus so small it was natural and reasonable that the Committee should look closely at the items out of which it arose; and, although with respect to the items individually there might be little difference of opinion as to the estimates which the right hon. Gentleman had made, yet, in a surplus which was assumed originally to be so small, minute differences made the whole distinction as to whether, at the end of the year, there would be a surplus or a deficiency. The right hon. Gentleman the Chancellor of the Exchequer did not explain in his speech why he assumed the loss from the malt duty during the first year at only 1,000,000*l.*, nor why he confined the loss to be sustained to the 1,000,000*l.* which was to be repaid as drawback. Surely the Committee had a right to expect an explanation on these points; and, in default of these explanations, they had a right to assume that the loss from these sources would be greater than the sum at which the right hon. Gentleman had placed it. He (Mr. Goulburn) had had some experience of calculations with respect to repayment of duty; he had also seen others more skilful than himself placed in similar situations; and he had never yet known an instance in which the estimate of a Chancellor of the Exchequer with respect to drawbacks for stock in hand, had not been falsified by the ultimate result. He had no doubt, therefore, that the right hon. Gentleman would find that, however he might have been guided by persons skilful in such matters, there were elements of loss not taken into account which would affect his estimated surplus. There was also a trifling difference in the calculation which the right hon. Gentleman and he had made with regard to the Tea Duties, to the amount of about 50,000*l.* He had likewise assumed the repayments on public works at a sum of 400,000*l.*, while, in fact, it was only 360,000*l.*, making thereby an additional deficiency of 40,000*l.* Then, again, if they took into consideration the loss which would be entailed by the proposed alteration in the income tax—partly by the reduction of the rate in two of the schedules, and partly by the large increase of persons over whom it was to be spread hereafter, which must entail a large increase of establishment, they could not but allow another 150,000*l.* or 200,000*l.* to be deducted from the estimated surplus. And, if this were so, was it not clear that, having in his possession a real surplus to the extent of about 1,500,000*l.*, he proposed deliberately and calmly to subject the country, at the end of the next financial year, to the risk of a deficiency to an extent which it was impossible beforehand to calculate, because it was impossible to know what convulsions might arise in foreign countries, what seasons might prevail in this, or what accidents might occur in the interim to affect the revenue on which he so confidently relied? The right hon. Gentleman who last spoke had said that it was a proof of the courage of the Chancellor of the Exchequer to propose to do in one year what you timid counsellors had been afraid to do in two. He gave the right hon. Gentleman the Chancellor of the Exchequer credit for that degree of courage. He (Mr. Goulburn) and his right hon. Friends certainly had not had the courage to spend money which they had not. They had not had the courage to risk the safety of the country at the expense of gratifying any claimants for the remission of taxation, when they knew that that remission could only end in injury to public credit, and in a sacrifice of the best interests of the country. The right hon. Gentleman had that courage. Not content with a deficiency in one year, he assured the Committee that he was also prepared to be in a deficiency in the year ensuing. This might be courage, but his admiration of it was not such as to induce him to abandon the principles for which he had contended, and to consent to a state of things which he had always held to be dangerous and inexpedient. He saw many hon. Gentlemen opposite who had fought with him the battle against continued annual deficiencies. In the period before 1842, they had struggled together in support of national credit, and they felt the severity of the pressure which was occasioned by deficiencies that had occurred during a series of antecedent years. Surely, those hon. Gentlemen could not now view with tranquil feelings the prospect before them. They must remember that they only recovered from the position to which he alluded by the imposition of taxation heavy in its amount—intolerable, indeed, if it had not been accompanied by remissions which the magnitude of the impositions enabled the Government to make. To such a position they would again be reduced if the Committee did not now interfere to prevent the Chancellor of the Exchequer from making away with that which he had in hand, and which he might retain without injury to any interest that required relief. He did not deny to right hon. Gentlemen opposite the merit of alleviating the burdens to which the shipping interest was subjected, nor did he complain of the reduction of the tea duties, or of the manner in which the Chancellor of the Exchequer proposed to effect that reduction. Those measures, with a surplus revenue of 1,600,000*l.*, fell within the limits of the right hon. Gentleman's power, and did not endanger the credit of the country. He admitted that tea was a safe subject for a reduction of duty, and that that reduction, carried on to its utmost extent, as was proposed, might ultimately be the means of affording increased employment to the shipping interest of the country, additional comfort to the lower classes of the community, and might—as had been proved in the case of coffee and of sugar—replace the revenue which it was proposed to sacrifice. It might perhaps be stated that the repeal of the malt tax, as stated by the right hon. Gentleman the Chancellor of the Exchequer, might benefit to a certain degree the producer of barley. The right hon. Gentleman had quoted a speech of his (Mr. Goulburn's) right hon. Friend the Member for Carlisle (Sir J. Graham) made at a long antecedent period, when he was arguing against a continuance of the Corn Laws. [Several Hon. MEMBERS: For a continuance of the Corn Laws.] Well, for a continuance of the Corn Laws. His right hon. Friend stated, that if the Corn Laws were repealed, barley land would be then stricken with barrenness. If that prophecy had come true it might be a good argument, if the revenue admitted of the reduction, for taking off the whole duty on malt; but he would appeal to any Gentleman opposite whether barley land had been stricken with barrenness—whether on the contrary it was not the description of land which had least suffered, nay, it had not suffered at all from the alteration of the Corn Duties. When his right hon. Friend, therefore, supposed that the malt tax ought to be entirely repealed in order to relieve certain lands growing barley from barrenness, he had been a false prophet, and no man, he was sure, would be more ready to acknowledge the fact. The land in this country that had suffered least with regard to the price of the article which it produced was that very land in favour of which the Government were now prepared to sacrifice more than the whole surplus revenue, and that not to confer the benefit of removing the whole of the duty, and with it the restrictions and penalties, but to take off a modicum of duty not felt by the consumer, and which would be of no benefit to those whose land was the peculiar subject of the measure. The right hon. Gentleman who last spoke had claimed great credit for the Government on account of the manner in which they had dealt with the three afflicted interests—the colonial, the shipping, and the agricultural. He (Mr. Goulburn) had heard with satisfaction that the Government proposed to admit the sugar of the Colonies to refinement in bond, and he presumed they would recommend that optional measure of refinement which was submitted in the course of last year to the late Chancellor of the Exchequer, and which he negatived because he said it would necessarily create a loss to the revenue; for it was clear that if only particular classes of sugar were admitted to refinement in bond, and others were excluded, the duty would be lost upon the inferior sugars, and nothing would be gained upon the higher qualities. If the right hon. Gentleman (Sir C. Wood) was correct in that statement, and he was sure he must be so, then he (Mr. Goulburn) asked why had the right hon. Gentleman the Chancellor of the Exchequer not made a calculation of that, which was no small loss in the Budget? If he was to lose duty by a measure of relief to the Colonial interest, that was surely another ground why they should look with jealousy to the diminution of the existing surplus. Whatever injury classes might sustain, either from ill-imposed taxation or from other causes affecting their interests, he sincerely believed there was no cause from which they could suffer more than from a course taken by the House of Commons which tended to impair the general credit of the country, and to prevent the growth of that facility of monetary transactions which prevailed when the revenue was in a prosperous state. He thought that any Chancellor of the Exchequer abandoned his duty if, for the sake of repealing a particular tax, or of acquiring for the moment the applause of those who surrounded him, he forgot what was due to the higher interests of the State, and did not always bear in mind that there was a large encumbrance of debt, which could only be diminished by the maintenance and due application of a surplus revenue. In saying this he was far from expressing opinions which were confined to himself and to hon. Gentlemen near him. He had the authority of the present Chancellor of the Exchequer, who, when discussing at Aylesbury in 1849 the importance of maintaining a large Sinking Fund for the purpose of creating an impression on the debt, and supposing the Chancellor to be in possession of a surplus, said—

> "Why, in old times we should have had some one coming forward and proposing the abolition of some paltry tax which, while it would be no great blow to the revenue, would, individually, give scarcely any relief. Is this the means by which to regenerate imperilled agriculture? Certainly not. What I propose is, that a real sinking fund shall be maintained, which will, in less than ten months, raise Consols above par, and thus enable landlords and tenants to borrow money to apply to their land at 3 per cent interest instead of four or five."

The right hon. Gentleman, speaking at that time to an assembled multitude of agriculturists, said—

> "This is your real remedy—equal taxation and cheap capital. If my recommendations be adopted, the public credit will be maintained; it will give the farmer independence; it will recover from their present state of depression the landlords of the country; they will then obtain capital for the improvement of their estates at a low rate of interest, and if you do not gain that relief which the country has a right to give you, we must consider what we are next to do."

Those were principles in which he (Mr. Goulburn) cordially concurred, and which he regretted that the Chancellor of the Exchequer was not now that he had power disposed to carry into effect. The right hon. Gentleman had been pleased, on a former night, to speak in favourable terms of the success which attended the measures that he (Mr. Goulburn) had on two several occasions brought forward for reducing the interest of the public debt; and he wished sincerely that the right hon. Gentleman had prepared himself to attempt a similar course. He had hoped that the present Chancellor of the Exchequer might have been the successful Minister who might hereafter have rested his claim to public approbation on the ground of having effected a larger operation for the benefit of his country in this respect than had been accomplished by his most distinguished predecessors. In that speech which the right hon. Chancellor of the Exchequer delivered at Aylesbury, ten months was the period prescribed as necessary by the then proposed Sinking Fund to raise the public debt to par. Within ten months that desirable object might not be accomplished; but he feared, by the course the Government was taking, by snatching at the paltry remission of taxation of 2,500,000*l.*, they would perhaps for ever lose the opportunity of conferring great and permanent benefit on the country. The reduction of the public debt would have a beneficial effect on all the burdens of the country. It would confer still greater benefit on the agricultural, manufacturing, and commercial classes, by placing at their disposal capital at a low rate of interest, and enabling them to pursue their operations with increased activity and enterprise. If he might presume to give an opinion to the House of Commons—having heard from various quarters that the acceptance of half the Malt Tax was more a matter of feeling than of profit—that it was not expected to derive from it that extent of benefit which some would consider compensation for past injury, or to give to the consumer that relief which they all desired to afford—if he might presume to give an opinion, he would say, "instead of giving up that 2,500,000*l.* of revenue, apply your surplus so as hereafter to render feasible great financial reductions." His great feeling of regret with respect to the Budget which had been announced was that this course had not been pursued. The right hon. Gentleman opposite seemed to object to discussing the Budget in parts, and in that opinion he had shown that he (Mr. Goulburn) entirely agreed. If he thought an attempt was made unwisely to repeal the Malt Tax, he naturally objected to the particular tax which was proposed as the means of effecting a repeal in itself objectionable. He did not deny that it might be proper, under circumstances which required it, to impose a House

Tax, properly distributed and properly modified. He objected last year to the House Tax then proposed, because he thought it was not framed upon the principles on which a House Tax, if imposed, ought to be placed; and he objected equally to the House Tax now proposed, because, though avoiding some of the defects of that of the right hon. Baronet (Sir C. Wood), it had fallen into others which he (Mr. Goulburn) thought essentially fatal to it continuance. But it was not necessary for him to discuss the substitute, when he objected to the repeal of the tax the produce of which it was to replace. The right hon. Gentleman had said that this direct tax was necessary to complete the scheme propounded by the Administration of Sir Robert Peel; that Sir Robert Peel recommended the imposition of direct taxation upon principles the same as those on which the present House Tax was to be supported. Not so. Direct taxation was introduced by Sir Robert Peel when indirect taxation had been carried to its full extent and found unproductive. It was introduced to make up for a great and accumulating deficiency; and so far from the tax now proposed being the completion of the plan which originated with Sir Robert Peel, it was one merely made for the temporary object of affording a relief which was but partially sought, and was not likely to be generally beneficial. The right hon. Gentleman said the House Tax recommended itself, because there had been a sacrifice upon the Window Tax, and that the burden would not exceed that to which the country had been subjected from ten to twenty years ago. But it would be well for him to remember that if there was a tax which at no distant period had excited the feelings of the country more than any other, and given occasion to petitions for its repeal, it was the House Tax. The table of the House of Commons was loaded with such petitions in 1832, 1833, and 1834. It was stated to be more odious than the income tax. If the Government should now succeed in imposing it, notwithstanding the objections to it, and notwithstanding the absence of any necessity for imposing it beyond the repeal of half the Malt Tax, they must be prepared at no distant period for a repetition of attacks upon this duty, which, if imposed in the shape proposed by the right hon. Chancellor of the Exchequer, would at no very distant day lead to its repeal and to a further deficiency of revenue. The right hon. Gentleman had gone in detail into the reasons which had induced the Government to propose alterations in the Income Tax; and he said, as a noble Lord said early in the evening, that they had remedied the inequalities of the tax in its present shape. The right hon. Gentleman must have looked upon the Resolutions on the table with a very paternal eye if he could consider that they remedied any of the grievances which had been made the subject of complaint. He said, "We have reduced the number of exemptions." Yes, by imposing the tax upon a class of persons with respect to whose capacity to bear it there would be shown to be great doubt when it should come under discussion hereafter. He said, "We have applied the tax to the funds in Ireland:" exempting every class in Ireland but one, they had rather added to the exemptions than reduced them. With respect to that particular class on whom he meant that the burden of the tax should fall, the right hon. Gentleman had no foundation for assuming that there was anything in the proceeding of 1842 which justified the imposition of a tax upon the funds in Ireland received by residents in Ireland. The principle in the Act of 1842 was, that persons residing in Great Britain should pay the tax upon any income received by them in Great Britain, though the property might be in Ireland or any other country; land, professions, trades, and funds of persons resident in Ireland were equally exempt. Ireland was exempted because other taxes were then imposed on Ireland, which were to be a compensation to Great Britain for alone bearing the Income Tax. If the Government selected one particular class of property in Ireland, and that the funded property, for this tax, they would therefore as clearly violate their contract with the public creditor by making this property alone the subject of taxation, as they would by the imposition of a separate duty on funded property here. The right hon. Gentleman the Chancellor of the Exchequer said that the right hon. Member for the University of Oxford (Mr. Gladstone) had argued without reason that the variation of rates in the schedules would be a breach of faith with the public creditor. He (Mr. Goulburn) adhered to that opinion, and the reasons for it given by the latter right hon. Member; and, when the House should arrive at the period for the discussion of the Income Tax, he thought he should establish beyond a doubt that there was a contract with the public creditor, confirmed by the uniform decisions of all the Courts to which the question had been submitted, preventing the House of Commons from placing upon this species of property a higher rate of duty than was imposed upon other property. The right hon. Gentleman said, "We have made a division between precarious and certain property, and taxed them accordingly." He (Mr. Goulburn) would tell him what he had done. He had made the funded property of the country, which was thought to be the most secure, the most precarious property, for he had made it dependent on the will of a Minister. If he could by his own authority, upon the construction which he put upon the contract, imagine it lawful to impose one-third more duty upon funded property than upon any other, what might not some future Chancellor of the Exchequer less moderate than he effect? What were pence now might be shillings to-morrow, and what were shillings to-morrow might be pounds in subsequent years, if the country should be weak enough, or the Minister wicked enough, to impose different rates upon funded and other income. When the question should come on, he thought he could show that, whatever irregularities there might have been, whatever injustice any might suppose to operate in carrying into effect the measure of 1842, the measure now proposed abounded in inequalities ten times worse, and would involve the collection of the tax in inextricable difficulty. With respect to the mode in which it was proposed to estimate the profit of farms, it would be remembered that in 1842 the profit was taken at half the rent, and the tenant had no right to a reduction, nor the Govenment to an increase of that charge; but since then we had given the tenant-farmer the right of coming to the Commissioners at the end of the year and saying, "My profit has not amounted to half my rent, and I am entitled to a reduction;" and the Commissioners, upon examination of him and his books, were to abate the sum reckoned as his profit, not to one-third of the rent, but to one fifth or one sixth, or any proportion to which he could show that his profit had fallen. The proposal, with respect to him, then, was perfectly unnecessary. It might go forth to the country that the Government were conferring benefit on the farmer, by estimating his income at so much less than it was estimated at before; but when he knew that it was equally in his power before the alteration to obtain even a greater reduction, his gratitude would possibly be diminished. Then, it was said, there had been exceeding liberality to the clergy in making a reduction of duty on those who had less than 100*l.* a year. It was said that the clergyman had a precarious income—an income dependent on his life, uncertain in its duration—and that at present he paid the highest rate of duty. But it may be asked why, if his income were precarious, take 100*l.* for the limit? The man who had 150*l.* must have an income as precarious as the man who had an income of 100*l.* One could understand such an arrangement if it were made on the score of charity alone; but when it was made on the ground that the income was precarious, how could such a remission be taken as a principle of legislation? He had thus stated the views he was disposed to entertain with respect to the measures now before the Committee. He objected to the repeal of the Malt Tax, at a time when a revenue was not in a condition to part with that amount. He objected to the Budget, because the whole surplus was derived from an application of money not legitimately made—namely, from the application to annual income of the balances of the Exchequer; because there must be a recurrence of that system of deficiency which it had been the whole of his ambition to put an end to, and which of late years had been entirely avoided. It was on the ground of the ultimate effect on public credit that he could not but view with alarm the proposals which the Government had made. By their proposals they were debarring themselves from the legitimate advantages to which, in the present state of the country, they might fairly look. The Government were gradually weakening the public sense of good faith by spending in the year more than they acquired from the revenue of the year; and, taking into consideration those serious matters —which weighed on his mind more than anything relating to a change of the Property and Income Tax, or the House Duty, or the Malt Tax—taking into consideration those several circumstances, he should conclude by humbly imploring the Committee to avoid measures which by impairing the public credit of the country, damaged its best interests, and which, involving all interests, would in the end be as injurious to the agriculturist as it would be to the manufacturer.

VISCOUNT JOCELYN moved the adjournment of the debate.

The CHANCELLOR of the EXCHEQUER hoped the Committee would remember the time of the year, and the day of the month. He trusted they would come to an agreement to conclude the debate to-morrow. It would, he was sure, be satisfactory to all present, if there were a general understanding to that effect.

LORD JOHN RUSSELL said, he did not think it possible at the present moment, so many Members being absent, to come to an understanding of that nature. He for one, should be very happy if it were the disposition of the Committee to conclude the debate to-morrow night. There were, he understood, many hon. Members absent who wished to express their opinions. He thought, therefore, that the matter must be left to their discretion; but he concurred with the right hon. Gentleman in expressing the hope that the discussion might be brought to an end to-morrow.

House resumed;—Committee reported progress.

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Tuesday, December 14, 1852.

IRELAND AND THE INCOME TAX.

The EARL of WICKLOW rose to move for returns respecting the payment of property and income tax by persons resident in this country in respect of property in Ireland. The noble Earl said that that was not the first or the second occasion he had made a similar Motion upon this subject; and he had done so for this reason. In the first place, they had periodical renewals of the income tax; and as regularly accusations were brought against the proprietors of Ireland, that they did not contribute their share of the revenue of the country. Upon every occasion on which the income tax had been renewed, complaints were made of this nature, both in and out of Parliament, and notices were constantly given in the other House for extending it to Ireland. He (the Earl of Wicklow) had, therefore, been always anxious on these occasions to let their Lordships and the country know that, although it might be true that Ireland was nominally exempt from the income tax, it was not true that the property of that country did not contribute to it pretty largely. The Motion he was about to propose was for a return of all sums paid as income tax upon Irish property by persons residing in this country, and, also, of all sums deducted from the annuities and dividends paid by the Bank of Ireland to persons having property in those funds and not residing in Ireland. On the first occasion on which he made this Motion, the noble Duke who then represented the Government in that House, granted the Motion; but, knowing as he (the Earl of Wicklow) did that large sums were paid by proprietors in this country who had estates in Ireland, and not only by them, but by a vast number of small proprietors who preferred the ease and luxury of this country to a residence in their own, and being confident there must be a considerable amount contributed to the revenue in that way; it was not without surprise that he found the return to be "nil." It was the same on the second occasion; and it appeared that the reason was that no account was kept by the Board of Taxes of the amount paid by Irish as distinguished from other property. The difficulties which at that time stood in the way of collecting the information he required, were now, he believed, completely obviated, and he felt confident that if the noble Earl agreed to his Motion he should have a very different return. Whatever the amount derived from this source might be, it ought in justice and fairness to be attributed to tho taxation of Ireland. He proposed the Motion exactly upon the same grounds as he had done before. When the property and income tax was first proposed by Sir Robert Peel, Ireland was exempted, not on account of her distressed condition, but because there was no machinery fitted for the purpose; and as the tax was only proposed for three years, it seemed not worth while to establish it. They were now, however, about to have the income tax renewed, not as a temporary measure, but as a measure which had all the appearance of permanency: a desire to substitute direct for indirect taxation now prevailed, and however objectionable such a system might be in a great commercial country like this, or, indeed, in any great country, the Chancellor of the Exchequer has evidently succumbed to it; and whatever might be the desire of the Government to exempt Ireland from the income tax, he believed they would not be able to succeed in the attempt, because such an exemption would not be based on the principle of justice—for whatever taxation was imposed on one portion of the Empire ought to be imposed on all. They were now about to introduce a tax upon the funded property of that country, and upon the recipients of public salaries there. It was perfectly right and just; and he could not see why the Lord Lieutenant, the Lord Chancellor, and the holders of places in Ireland, should be exempted, whilst in this country the annuitant with only 50*l.* a year, and the tradesman with only 100*l.* a year, were to be subject to the tax. Now he (the Earl of Wicklow) should wish, for his part, to see the enormous and unjust taxation which at present prevailed in Ireland under the name of the Consolidated Annuities Tax, altogether abolished. There would then be no difficulty whatever in establishing the income tax in Ireland on all descriptions of property, and raising the 400,000*l.* which Sir Robert Peel estimated as the revenue which would be derived from the stamps and spirit duties, and which, in fact, had raelised but 16,000*l.* The sum now assessed on Ireland for the consolidated annuities is 250,000*l.*: that would be probably the proportion of the 400,000*l.* which would fall upon the land; but at present the consolidated annuity tax is so distributed that the amount is larger just in proportion as the district is poor and unable to bear it; so that, in fact, where the largest sums are payable, there is not only no expectation of levying the tax, but, as he knew, a bill of indemnity was necessarily brought in, partly to exempt the poorer districts of the country from its payment. He was therefore convinced that, if it were shown to Parliament, by the abolition of the consolidated annuity tax, and the imposition of a property tax, an act of justice would be effected, and the revenue increased, it would readily accede to it. He was anxious to see an equalised system of taxation, similar to that adopted in England, extended to the sister country; and if that were done in the manner he had taken the liberty of suggesting, he had no doubt the result would prove highly beneficial to the interests of that country, and at the same time materially tend to increase the revenue of the Empire at large, He thought this would be the best opportunity of effecting such an object, and that it would be satisfactory to this country and to Ireland. The noble Earl concluded by moving, for a

"Return of the Amount of Property Tax paid by Persons residing in Great Britain on Sums drawn from Ireland, in the Two Years commencing April 1851 and April 1853: and also,

"Return of all Sums charged on Dividends and Annuities at the Bank of Ireland payable to Persons not resident in Ireland, in the Years commencing April 1851 and April 1852."

Ordered to be laid before the House.

The Earl of DERBY: I can have no objection, on the part of Her Majesty's Government, to lay before your Lordships the papers which have been moved for by the noble Earl, if, indeed, the return will afford him the information which he seems to expect it will. I can only regret that the noble Earl did not give me the precise object he had in view in making this Motion, in order that I might have ascertained if the mode in which the papers are now made out was calculated to answer that object. My own impression is that the Income-tax papers remain precisely on the same footing as they did when the former returns he moved for were made, and that, consequently, he will not find any distinction between incomes derived from Irish property and those derived from colonial property, and the proceeds of the Income Tax from Irish property will still be returned as *nil.* But I only speak from a vague recollection of the Income-tax papers which have been presented to me for my signature. Not having received a shilling from my Irish property for four or five years—on the contrary, the balance being considerably on the other side—and finding myself obliged to make remittances of money to that country, I was compelled to return *nil.* There is no objection, however, to produce the returns, and I shall be glad to give the information which the noble Earl desires; but I must be excused if I decline entering into the policy of charging the Income Tax on Ireland, or into the financial propositions of the Government now before the other House of Parliament. There will be abundant time for the discussion of all the details arising out of the Income Tax when the measures which have been submitted to the other House of Parliament come before your Lordships in detail in the shape of a Bill. The noble Earl has correctly stated the principles which he conceives to be involved in the various measures that are now under the consideration of Parliament, and that have been brought forward by the Chancellor of the Exchequer. He correctly states, that according to those measures, it being deemed expedient to diminish to a considerable extent the amount and pressure of indirect taxation, it follows as a necessary consequence, whether it be desirable or not, that a considerably increased proportion of the revenue of this country should be in future drawn from the sources of direct taxation; and the noble Earl also interprets correctly the desire entertained on the part of Her Majesty's Government, that, as far as it can be practicable, that extension shall take place, avoiding as far as possible those exemptions which are undoubtedly not founded in strict justice, and which can only rest upon the impossibility of collecting from a numerous portion of indigent persons, who are exempted not so much on the ground of strict justice as on the impossibility of collecting the amounts which become due from them. Subject to that exception I quite agree with the noble Earl that it is desirable, in applying direct taxation, that the exemptions should be as few as possible, and that the area of taxation should be as general, as wide, and as equable as possible. And I confess, that whilst on the part of the Government we have thought that it would be inexpedient, and, looking at the distressed condition of the landed property in Ireland, that it would be inconvenient and impolitic, to subject that country to the payment of a tax from which it has hitherto been exempt—I concur with the noble Earl in thinking that the question is only a matter of time, and that if the Income Tax be established as a permanent source of revenue, it cannot be expected that so large a portion of the Empire as Ireland should be exempted for more than a temporary period from the operation of that tax. With regard to the exemption of the land of Ireland, there was a claim made out on its part for temporary exemption from the Income Tax; and consequently we have submitted to Parliament that Ireland should be so exempted, so far as relates to that particular description of property which has suffered most seriously from the circumstances of late years. That question, namely, the extension of direct taxation, and the extension of that system of direct taxation subject to as few exemptions as possible, is the subject which at this moment engages the anxious attention of the House of Commons, and that is a question which I trust will be solved in the course of the present week. My Lords, that question is one of deep and vital importance to the permanent interests of the country. I am not speaking of any personal consequences attaching to the Government, although I am quite sure that your Lordships will see that the decision of the House of Commons, whatever it may be, cannot be without important and immediate consequences upon the position of Government itself; but I am speaking in relation to the permanent interests of the country, with regard to which I hold the decision to which Parliament is about to come as a matter of the most vital importance. I earnestly hope that, as soon as practicable, Parliament will relieve the country from the anxiety with which it is now awaiting the decision to which the House of Commons may arrive upon that important subject. For undoubtedly, without desiring to hurry or accelerate the proceedings of the other House of Parliament, so as to preclude them from a due and full consideration, not, indeed, of each petty and minute detail, but of the great and broad principle involved in the present deliberation—I think it is of great importance that the country should not long be in suspense as to the course of proceeding which Parliament is to adopt, and with regard also to the hands by whom the system now established is likely to be carried out; and I hope that very few days, or it may be hours, may decide that question, so far as the other House of Parliament is concerned. I regret that, in consequence of these discussions, and the delay that has taken place—though I do not complain of that—it is necessary that your Lordships should have to meet day after day, with little or no business to transact, for the purpose of sitting here a few minutes, and then adjourning the House. I am certainly very anxious that, as soon as the decision of the House of Commons shall be pronounced, and the Resolutions now submitted to them are affirmed—if affirmed they are to be—your Lordships should be released from what I consider to a great extent your unnecessary attendance here. But whilst that question, and the other questions hinging upon it, still remain in abeyance and undecided, I should not think I was performing my duty to the Crown if I recommended the adjournment of this House for any lengthened period, to deprive the Crown of the possibility of securing the attendance of this and the other House of Parliament at a time when it might be necessary for the Crown to have recourse to their immediate advice and assistance. I again say there is no objection on the part of the Government to the production of the returns moved for by the noble Earl.

Motion *agreed to*.

Papers ordered to be laid before the House.

REVENUE AND TAXATION.

LORD MONTEAGLE moved for certain returns connected with the Revenue and Taxation, and said, that, although he did not believe that they were now entering for the first time on a course of peril, yet he thought they were persevering in a course of great danger to the substantial interests of the country, and advancing in that course more rapidly by the substitution of direct for indirect taxation in raising a considerable portion of the revenue of the country. The Ministers opposite, and his noble Friend the Postmaster General in particular, would remember that this was not the first time he had raised his voice against the adoption of this system when extended by his own friends in the late Government. At the present moment there was a current running hard in favour of the imposition of direct taxation: to this the noble Lords opposite were giving their sanction; and the question with him was, whether that current were running in the right direction, and if it were likely to lead to safe consequences in a country which was so largely indebted that it was obliged to raise 28,000,000*l*. sterling a year to pay the dividends due to the public creditor. He did not mean to argue, where a revenue of 52,000000*l*. had to be raised annually, that in no instance should direct taxation be resorted to in aid of the revenue arising from indirect taxation. In a time of crisis an income might frequently be the effectual and aggregate remedy, and when the property and income tax was proposed by the late Sir Robert Peel in the year 1842, he felt there was a full justification for the measure in the pressure of a great public exigency. At a subsequent period, too, its continuance had a strong motive, for it was reimposed for an important object, which it had realised, to the great benefit of the country: without the income tax the reform of the tariff could not have been achieved; but, in the meantime, the system of direct taxation had developed its difficulties and dangers. The Government had not been able to induce Parliament to grant the income tax for more than one year, and at length resort was had to the most dangerous of all expedients—one-tenth part of the whole public revenue. The noble Earl had spoken of the necessity of resorting to direct taxation for the purpose of supplying the deficiency created by the repeal of indirect taxation. But had this reduction been called for by any large class of men, whose judgment and opinion ought to have had weight with the Government, or been binding on Parliament? Half the malt tax was to be repealed—at whose bidding? The measure had not been demanded by petitions; it had not been forced on the Administration by an adverse majority; it was simply the impolitic and gratuitous act of the Government itself. If so, the substitution of direct taxation in the odious form of the house and income tax, for the repealed malt duty, should be dealt with not as a necessity, but as the gratuitous act of the Government, and he hoped the proposition would therefore be successfully resisted by the representatives of the country. If there were any proposition capable of being reasoned to demonstration, not only on principle but on experience, it was, that the present Government were sacrificing 2,500,000*l*. of revenue without any excuse or palliation whatever; the reduction in the price of beer would be so small, that the consumer would get no benefit whatever from the proposal, and the benefit would be felt only by the brewer and great capitalists. This was proved by the effects of repealing the war malt tax and beer duties; and it was proved by the conclusive evidence given by Mr. Charles Barclay before their Lordships' Committee on the Burdens on Land. Why was this fatal sacrifice made? That the friends of the noble Lord on the other side might indeed be able to go to the country constituencies, and say that they had obtained the repeal of a part of the malt tax for them; when, in truth, neither the barley-grower nor the people of England would gain anything by the measure. At the same time the Government proposed to double the house tax and to increase the area of its assessment; and also to bring a lower amount of annual income within the operation of the Income Tax Bill. This he thought a dangerous course, for it was substituting for an indirect tax, borne with facility and collected with ease and economy, direct taxation of the most odious character. If the noble Earl had been a personal enemy, he could not wish him a greater evil than that of succeeding in carrying the whole of his measures through Parliament, and being represented in every taxpaying house as the author of the new property tax and the new house tax, and as the member of a Government that had wasted 2,500,000*l*. as an act of delusive concession to a class whom it would not even relieve. He begged to remind their Lordships that the proposals of the Government would put in jeopardy 10,000,000*l.* of permanent revenue, as well as above 5,000,000*l.* of income tax, for that was the produce of the three; and that even if the Government succeeded fully they would only leave the country with a doubtful surplus of 400,000*l.* Such was not the way to keep up the public credit; and he warned Her Majesty's Government to consider the effect which their measures might eventually have upon the maintenance of that credit. He was well aware that the noble Lord would triumphantly appeal to the price of the funds in proof that our credit had not been affected. But he denied the force of the argument. In the first place, was it not just possible that other propositions still more subversive of public credit had been anticipated justly, but fortunately abandoned, not to say fortunately averted? Let him take, as an example, the state of our terminable annuities; 4,425,000*l.* annual charge, equivalent to four-fifths of the property tax, would expire in a few years. Had it not been at one time intended to anticipate this saving, or, spendthrift-like, to discount our reversion? Was not this abandoned? Again, might not consols rise if all power of relieving the interest at a future time was sacrificed by a wasteful sacrifice of the income of the country? From 1846 to the present time reductions had been made, quietly and unostentatiously, to the amount of 18,845,000*l.* from the national debt; and, should any emergency arise requiring a loan to that amount, they might go to the country and justify their demand by the savings they had already effected. No less a sum than 7,728,000*l.* had been paid off in 1851, 1852, and 1853. But the measures of the noble Earl (the Earl of Derby) and his Colleagues would, if carried into practice, effectually stop any such saving for the future. They proposed an extension of the house tax, but they would have to withdraw the proposition, as other Governments had done, for they seemed to forget that the strongest Government this country had perhaps ever seen—that represented by Lord Grey in their Lordships' House, and by Lord Spencer in the House of Commons—had been forced to withdraw a similar tax in deference to the wishes of the country. With regard to the extension of the income tax to Ireland, if the circumstances of the two countries were shown to be analogous, it would be only fair that Ireland should be compelled to bear her share of the impost; but if they were not so, it would be futile for any Government to attempt the extension. He trusted that, in addressing himself to these questions, he had violated no order of the House. The truth was, that when a Tax Bill came up before their Lordships, they were usually told that it was needless to go into a discussion of it, as the House had no power of suggesting alterations; and, therefore, it was all the more necessary that other opportunities should be taken of considering and discussing these important questions. The noble Lord then *moved* that there be laid before this House—

"Detailed Accounts showing the Gross and Net Amounts received of the Revenue of Excise, Stamps, and Taxes during each of the last Ten Years:

"Account showing the Amount applied during each of the last Ten Years in reduction of the National Debt:

"Account showing the Amount advanced and repaid during each of the last Ten Years by the Loan Commissioners for Public Works:

"Account showing the State of the National Debt as made up to January 1852, distinguishing Permanent from Terminable Debt:

"Account showing the several Duties and Taxes imposed and repealed during each of the last Ten Years, showing the actual or estimated Amount of each, and distinguishing the Duration of such Taxes whether temporary or permanent: And also,

"Account of the Average Price of Barley during each of the last Ten Years."

The EARL of DERBY: My Lords, certainly the course pursued by the noble Lord is not inconsistent with the orders of the House. I must, however, say, I conceive it is a course which, under all circumstances, may be generally considered inconvenient—namely, for a noble Lord, after having given notice of his intention to move for the production of certain papers to which there can be no objection, to avail himself of that opportunity to enter into a full discussion of the whole financial measures which are not even yet fully under the consideration of the other House of Parliament. If it had been the intention of the noble Lord to take that course, I must say that to have followed the precedent taken by Lord Brougham would have been the more legitimate mode of proceeding, because then noble Lords would have known what they had to expect, and would have come down prepared to enter into a discussion upon the whole merits of the question. It would be quite in course for the noble Lord to proceed by resolution, and by anticipation to condemn the whole course of policy pursued by the Government. I must say I think that the more regular course, notwithstanding the opinion expressed by the noble Lord, would have been to wait until a substantive proposition came before your Lordships' House; and it is not a sufficient answer to say, that when a Tax Bill is brought into this House, there is no opportunity of amending it. It is true that when a Tax Bill is brought up into this House—whether it be one for the repeal or imposition of a tax—there is nothing to prevent this House from examining the whole merits of the propositions brought forward by the Government relative to the financial affairs of the country, and from deciding whether you will take all the consequences of accepting or rejecting them. That, I conceive, is a more legitimate and ordinary mode of proceeding than that taken by the noble Lord, of moving for unopposed returns for the purpose of entering upon the whole financial affairs of the country. I hope my noble Friend will not think that I am treating him with any disrespect if I abstain from following him into the discussion as to what he supposes to be the intention and the consequences of the financial policy of the Government. I will not either enter into a discussion upon the condemnation which the noble Lord has passed on the proposition to extend the system of direct taxation. I do not quarrel with the noble Lord for adhering to that opinion, nor will I enter into a discussion as to how far it would be advisable to proceed upon the principle of direct or indirect taxation. The noble Lord himself admits it to be a question of degree. He does not deny that, to a certain extent, direct taxation must be resorted to, to make up a deficiency occasioned in the indirect taxation of the country; consequently, the only question between the noble Lord and the Government is, as to what extent the increase of direct taxation is to be carried, and what proportion it is to bear in the whole taxation of the country. I must be permitted to say, I think that the question of direct taxation is immediately and necessarily involved in the course of policy the country has determined to sanction; and, without any reference to the comparative merits of either direct or indirect taxation, there are but two modes in which a large amount of revenue can be raised—namely, one of direct taxation, affecting as large a portion of the community as is capable of bearing it; and next, by a large amount of taxation to be raised on those articles which enter into the most general consumption of the people, and on which alone you can raise a large amount of taxation. Now, the principle commonly called Free Trade, upon which the country has decided, I take to be this—that upon those articles on which you have raised a large amount of very heavy taxation—articles of general consumption by the mass of the people—the country will not now tolerate a large amount of taxation to be levied. You have laid down the principle, not as regards any one particular item, but in regard to those articles which necessarily enter into the consumption of the people. You have taken as your proposition that the food of the people must be made cheap. Be it so. But if you adopt the principle that food and the necessaries of life are to be made cheap, and are not to be subjected to the amount of taxation which is necessary to raise the required amount of the year's revenue, the alternative is plain and obvious—you must have recourse to that other system of taxation which can be equally diffused over the masses. In consistency with the principles of free trade, I will defy the noble Lord to vindicate the imposition on the articles of malt and tea—two great necessaries of life of the working classes—of duties respectively amounting to 100*l.* and 200*l.* per cent on the prime cost. We are driven, therefore, by the adoption of the principle which has been pressed upon us by the other side of the House, and which the country has sanctioned—we, acting frankly and honestly upon that principle, have felt it our duty to take that course which, in principle, I am sure, will not be condemned by the noble Lord, of reducing the heavy amount of taxation charged on the necessary articles of consumption. I will not enter into any discussion as to the probable effects of the repeal of the Malt tax, though I entertain a different opinion from that of the noble Lord upon that subject. But I think I recollect very high authorities, who are looked up to by noble Lords opposite, and constantly quoted by them, who have declared that after the final repeal of the Corn Laws it would be impossible, if not unjust, to maintain the existing amount of duty upon malt. Your Lordships have the very highest authority on such questions—namely, Sir Henry Parnell, who, upon signing the report of the Commission of

Excise Inquiry in 1832, laid it down as a maxim—"If you remove the tax upon foreign barley, at least one-half of the duty upon malt must be taken off as a necessary consequence." I think also that Sir James Graham intimated his opinion strongly in regard to the repeal of the malt duties and the corn duties, that you could not with any justice repeal the one without also repealing the other. Now we did think, that in conformity with that principle, and acting upon the views of financial policy on which Parliament has entered, and which the country has sanctioned, that it was just, right, and expedient—or, if you like it better, wise, just, and beneficial—to reduce, to a very considerable extent, the amount of duties on those two great articles of consumption—namely, malt and tea. But the noble Lord says we are imposing a house tax and also a property tax—that is to say, we are continuing a property tax in the most objectionable possible form. Now, in regard to the continuance of a property tax, I have nothing to say, because I believe that as long as you persevere in the present system, the continuance of such a tax is not a matter of choice but of necessity. The question then arises whether we are really continuing it in an oppressive form. Now, so far from that, we did think that if the Committee of the House of Commons which sat last year, and which went into great details in regard to the income tax, had laid down any one proposition more than another it was this—that, although it was impossible accurately to measure the particular circumstances of each individual case, in order to frame an income tax according to the principles of abstract justice, yet there was one broad and palpable distinction to be drawn between permanent and temporary incomes. And, therefore, when the noble Lord says we are imposing this tax in a manner most objectionable to the middle classes, I beg him to observe, that for the first time, for the relief of those middle classes, we are drawing this distinction between precarious and fixed incomes; and, without increasing the amount paid by the one, we do afford to the other material relief by the reduction of the amount of the burden at present laid on them. The noble Lord talks of the strong Government of Lord Grey having been obliged to recede from a proposition which they had made in regard to the house tax. It is true that Lord Grey's Government was at the beginning a very strong one, but it was strong by the amount of agitation and excitement raised at that time on the question of reform; but from the time that question ceased, the strength of that Government palpably and visibly declined; and, in order to maintain itself, it was undoubtedly compelled to yield in many things to the demands of those of its ultra supporters who had supported it for the purpose of obtaining reform, but who certainly were desirous of pushing the Government further than some of its Members were disposed to go. I do not admit that Lord Grey's Administration, during the latter period of its existence, was strong. Its weakness was occasioned by the under-currents of its *quasi* supporters. But the noble Lord has omitted to recollect that there was not only then in existence a house tax, but also a window tax; and during the administration of the late Government, it became a question whether preference was to be given to the repeal of the window tax or to a house tax. It was given to the repeal of the window tax upon sanitary considerations; and at the time of its repeal, the late Chancellor of the Exchequer was desirous of carrying through Parliament a house tax, which, in point of amount, would have been fully equivalent to the window tax, and would have exceeded by about 200,000*l.* the house tax which we now propose. If, my Lords, there is to be a house tax, I confess I am at a loss to understand on what principle of justice you can stop short at houses of the value of 20*l.* a year, leaving a vast majority of houses free from that which should touch every one, and yet leaving those householders in the possession of all the privileges of the elective franchise—that franchise which, according to the opinion of noble Lords opposite, and of the liberal party in the House of Commons, should be co-extensive and conterminous with taxation. But these measures, which may possibly never come under your Lordships' consideration, are now under the consideration of the other House of Parliament; and when they do come before this House I shall be prepared to vindicate the course which Her Majesty's Government have taken, and to defend each separate measure from any attack made upon it by noble Lords opposite. There is one point, however, to which the noble Baron alluded upon which I wish to make one observation—I mean his remarks upon what he called the maintenance of the public credit. My Lords, if I thought that there was anything in these measures to shake the public credit—if I saw in them any danger that the good faith of the country could in the slightest degree be shaken, or its means of meeting its obligations be any way affected—my noble Friend may depend upon it that he would not more warmly oppose them than would myself and my Colleagues in this and the other House of Parliament. But, my Lords, I see no symptoms of any apprehension for the credit of the country. At no period of time were the funds of this country in a higher, or more prosperous, or steady condition than they are at the present moment; and therefore my noble Friend, aware of the importance of this fact, is compelled to have recourse to some excuse, and he says that if the funds are high they ought not to be, and that they would have been much higher if we had not thrown the country into a state of alarm by the measures which he supposes (I know not on what ground) Her Majesty's Government have in contemplation. My noble Friend repeated the stale joke of Sydney Smith, in vindication of his view of declining wealth —namely, that the "Three per Cents were the greatest fools in the country." I differ from my noble Friend. The great monied interest is tolerably alive to its own interest, and I still subscribe to the old-fashioned notion that the state of the funds is a tolerable barometer of the confidence, or want of confidence, reposed in a Government by that interest. I venture to state, therefore, and I do so with great respect, but at the same time with great satisfaction, that neither in the state of the funds, nor in any expression of feeling on the part of the monetary and commercial interest of the country, can I gather that the slightest apprehension has been caused by the measures of Her Majesty's present Government. But I should like to know how it is, if as my noble Friend has alleged, the funds have kept up only in consequence of being relieved from the alarm which was felt as to the measures which the Government was expected to bring forward—how it is that the funds did not fall under the apprehension of these hyper-dangerous measures? When the present Government came into office the funds were at 96. They have ever since kept gradually creeping up, and in a few months, notwithstanding the alleged dangerous views of the Government, and the alarm they had spread, the funds touched 100; and from that time to this, despite the apprehensions of my noble Friend, they have never been below 100. I venture to assume this as a fair indication—making due allowance for all the circumstances which may tend to keep down the interest for money, and which may consequently affect the funds, and taken in connexion with, to say the least, the absence of any hostile opinion on the part of the great commercial classes—no apprehension is felt that there will be a failure of the public credit in consequence of the measures of Her Majesty's Government; and I venture also to express my conviction that the funds would be much more likely to fall from the apprehension of the consequences arising from the settlement of the present state of things, and of the dissolution of the present Government, than from the carrying of those measures which we hope (although my noble Friend says it is the worst hope which our worst enemy would utter) to see carried into effect. I do not allude to the minor details, but to the substance of those propositions which my right hon. Friend the Chancellor of the Exchequer has submitted to the other House of Parliament, and which in due time will come before your Lordships for your decision.

Lord MONTEAGLE said a few words in explanation; he was understood to say that Government ought to impose those taxes only which could be conveniently collected.

The Earl of DERBY said, he must protest against the doctrine which he supposed to be peculiar to an ex-Chancellor of the Exchequer, that a Government need not mind the justice of a tax so long as they could procure money. He had never said that free trade necessarily contemplated the absence of all imposts; but he had contended that free trade did contemplate the absence of disproportionate import duties, more especially duties upon articles of general consumption. He did not know his noble Friend's views of proportion or disproportion, but he (the Earl of Derby) thought that 200 or 250 per cent on articles of consumption fell within the definition of disproportionate taxation. Nor did he think that those classes upon whom that duty fell could be termed a privileged class, because they complained of such disproportionate taxation.

On Question, *agreed to.*

LOANS TO RATEPAYERS IN COUNTIES.

The Earl of POWIS moved for a Return of the Amount lent in each year since 1830 by the Public Works Loan Commissioners to England, Scotland, and Ireland. Return of the several Loans now outstanding in each Kingdom—1, on Security of County Rates; 2, Railroads; 3, Roads, Canals, Docks, and Harbours; 4, other Works and Buildings; and of the Years in which each of such Loans will be paid off, together with the Rate of Interest now paid on each Loan. The noble Lord also asked whether it was the intention of Her Majesty's Ministers to provide for the Ratepayers in Counties any facilities for borrowing money for Bridges, Shire Halls, Gaols, Asylums, &c., corresponding to those which they have hitherto enjoyed under the Public Works Loan Commission?

The Earl of DERBY could have no objection to grant the papers moved for by his noble Friend; but he had found, since he gave the notice yesterday, that there was a return of the 8th July, 1851, to the House of Commons, which would give up to that period the whole of the information which his noble Friend required, and which went back as far as 1824. The terms of the Motion might be altered so as to continue that return up to the present time. With regard to the question, he presumed that his noble Friend adverted to the declared intention of the Government in one part of the Budget to suspend the continuous issue of an annual sum to the Loan Commission. It was undoubtedly the opinion of the Government that, in the present state of the money market, it was not desirable to continue a system which had been introduced, in the first instance, under very different circumstances, for the purpose of meeting great public distress, and a great deficiency of capital in private hands. It had, therefore, been thought better that, while the repayments should continually come in and be applied to the Ways and Means, the balance should not be continued to be used, and, consequently, an addition would be made to the annual Ways and Means of the country. His noble Friend spoke of the inconvenience the country would sustain by the discontinuance of Government assistance, and put it on two grounds. One was that the county rates were not a good security; but he (the Earl of Derby) must protest against the doctrine, that the Government were to invest public money in a security that was not approved of. The other ground was, the reluctance of private lenders to advance money that was to be paid by temporary instalments. That inconvenience applied not only to works of this description, but also to works of a different description, the expenses of which were to be repaid in a similar manner. The insurance offices, to a great extent, had proceeded on that principle; but they had reason to believe that the insurance offices had gone to as great an extent as they could in lending on this description of security, and therefore Her Majesty's Government still had under their consideration the mode in which they might, to a certain extent, intervene between the borrower and the lender, without making fresh advances from the public treasury. He did not know whether it would be practicable to bring the plan to bear, but he hoped it might be done.

Ordered to be laid before the House—

"Returns of the Names of the Public Works Loan Commissioners; of the Expenses of the Board; of the Amounts placed at the Disposal of the Commissioners, and Amount remaining unissued; of the Amounts advanced to Borrowers, and contracted to be advanced, distinguishing such as are on the Security of County Rates; of the Total of Principal and Interest received and returned into the Exchequer; and of the Total Amount of Principal remaining unpaid; and a general Statement of the Transactions of the Commissioners from their Appointment, June 1817."

House adjourned to Thursday next.

HOUSE OF COMMONS,

Tuesday, December 14, 1852.

Minutes.] Public Bill.—1° Parish Constables.

CAPE OF GOOD HOPE—THE KAFIR WAR.

Mr. ADDERLEY said, he wished to ask the right hon. Secretary for the Colonies whether he could inform the House of the contents of the despatches received per the *Queen of the South*, from the Cape of Good Hope, some hours previously? He wished also to know if the right hon. Gentleman could state what were the prospects of the Kafir war; whether there was any reason to suppose it had extended to the north-east frontier; whether the Colonists were leaving to join the republic beyond the Kei; and whether any memorials had been received from the inhabitants of Cape Town, complaining of the postponement of the Constitution for that Colony?

Sir JOHN PAKINGTON said, the hon. Gentleman had put a series of questions founded on the arrival of the *Queen of the South* only a few hours previously, the despatches of which had been only so short a time in his hands that he had not had the opportunity of ascertaining all their contents. Nevertheless, he thought he should be able to give a satisfactory answer to these questions. He was sorry to say, as regarded the first, that he would be hardly justified in stating to the House that the Kafir war was at an end; but he was fully justified in stating that the stronghold of the enemy—the Waterkloof—was entirely clear of Kafirs, and in the hands of General Cathcart, whose expression was that he "hoped it was now clear of an enemy for ever." In the Amatolas district, the rebellious chiefs—Sandili, Macomo, and their followers—were still sheltered; but the troops were in active pursuit of them—indeed, they had nearly been arrested by the gallantry and bravery of our officers; and he was glad to say that he believed no danger existed as regarded them. With respect to the second question, he had no reason whatever to suppose that the war had extended to the north-east frontier, or indeed that it had spread in any other direction; and he had no knowledge of the other fact adverted to in the third question of the hon. Gentleman. With regard to memorials from Cape Town on the subject of the postponement of the Constitution, he had only received one, besides the despatch of the Government of the Colony. He had, however, received a despatch from Governor Darling on the subject, in which it was stated that no excitement whatever prevailed in the Colony, and that the general feeling was quite satisfactory.

Mr. VERNON SMITH said, the right hon. Gentleman had some time ago, in answer to a question from the noble Lord the Member for the City of London (Lord J. Russell), promised to lay the papers on the table in reference to the Constitution at the Cape, and he wished now to know when they would be ready, for he observed they had been read in the Assembly at the Cape, and it was hard they had not obtained them here.

Sir JOHN PAKINGTON said, that the papers moved for by the noble Lord the Member for the City of London, on the subject of the Constitution of the Cape, had not been withheld by any fault of the Colonial Office. They had been only asked for a few days since—they were now nearly ready; and when he had added those received by the last arrival, they should be laid before the House without delay.

Sir De LACY EVANS said, he also wished to ask a question. The territory called British Kafraria had been hitherto treated as British territory, and he now wished to know whether the right hon. Gentleman would give them, along with the correspondence that had been promised, the instructions he had sent out as to the character which the territory in question would bear at the conclusion of the war?

Sir JOHN PAKINGTON said, the correspondence on the subject of the future course of the Government with respect to the boundary of British Kafraria, at the conclusion of the war, was not one of the papers moved for by the noble Lord the Member for the City of London. The subject involved in that question was very extensive, and by no means of an easy nature, for it referred not only to the eastern boundary, but also to the northern boundary of the Colony. He was, however, in correspondence with General Cathcart on the subject of the eastern boundary—he had sent a despatch by the last mail, but till he had received an answer he could not give a reply to the question of the hon. and gallant Member.

Mr. HINDLEY said, he would beg to ask the right hon. Secretary for the Colonies, if the statements which had appeared in the Cape newspapers were true—namely, that Kafirs taken in the clearing of the Waterkloof were immediately hung; and if so, whether this was justified by the laws of war?

Sir JOHN PAKINGTON said, he had no official knowledge of the fact alluded to in the first part of the question. No mention was made in any of the despatches he had received of executions. As regarded the second part of the question—with respect to the rules of war—he apprehended that the rule of war was, that when an enemy showed no quarter, to meet him in a similar spirit; but, on the other hand, he had no hesitation in saying to execute a prisoner was not consistent with the laws of war. It should, however, be always borne in mind that a great portion of the Kafirs and Hottentots engaged in this war were British subjects, and as such were guilty of high treason. He certainly had seen in a newspaper, and he had also heard it through a private channel, that in clearing the Waterkloof some persons were hung—under what circumstances he could not say; but he would not be doing justice to the extreme gallantry and bravery of both officers and soldiers employed in that task, if he believed for a moment that they had, by any unnecessary act of cruelty to the enemy, tarnished the high reputation which they had so nobly acquired.

MR. HINDLEY: Would the right hon. Gentleman make inquiry into the truth of the statement?

SIR JOHN PAKINGTON said, he should have added that he had seen the general orders issued by General Cathcart to the troops prior to the expedition across the Kei, and that one of the most distinct orders among them was to avoid any unnecessary loss of life. He (Sir J. Pakington) had, however, no objection to make inquiry into the statement; but he should also observe at the same time that he had the fullest confidence in the humanity and discretion of General Cathcart, as well as in the bravery and gallantry of the troops.

WAYS AND MEANS — THE FINANCIAL STATEMENT — ADJOURNED DEBATE (THIRD NIGHT).

Order for Committee read.

Debate *resumed.*

SIR DE LACY EVANS said, a desire had been expressed on the previous night that the discussion should, if possible, be concluded that evening. It had, however, only lasted as yet two nights, and it must be remembered that the right hon. Gentleman the Chancellor of the Exchequer, with all his skill as an orator, had been compelled to occupy nearly the whole of one night in the development of his plan. He (Sir De L. Evans) thought, then, it was rather too much to expect that the whole of the representatives of the country should be called upon to decide in two evenings upon this important subject. Again, only one metropolitan Member had yet had an opportunity of addressing the Committee upon it. Another reason was, that time ought to be given for the opinion of the country to be expressed with regard to it; and on all these grounds he hoped the Committee would not be pressed to a decision to-night.

The CHANCELLOR OF THE EXCHEQUER: I am sure, Sir, there is no Member in this House who is less inclined to throw any difficulties in the way of Gentlemen expressing their opinions than myself, and I am sure I have never exhibited any desire to restrict our debates. I am perfectly aware that when measures of this extent are brought forward it is extremely desirable that a sufficient interval should elapse to enable the country fully to consider them, and that there should be ample discussion in this House; but I cannot but remember the moment at which we are assembled, and the absolute necessity that there is for the House adjourning for a considerable period. I assure the House that nothing is more foreign to my nature, or more repugnant to the wishes of the Government, than in any way to precipitate a conclusion upon any great constitutional point on which the will of the House has not been perfectly expressed. The hon. and gallant Gentleman referred to my statement; but he must recollect that that statement included a great variety of subjects. I do think it would be only fair to the Government if before the holidays we could take one vote. I do not want in any way to narrow the issue. I wish, if I possibly can, to put it on a principle. I do not ask any Gentleman on either side of the House, by voting on this occasion, to come to any direct vote in favour of the repeal of the Tea Duties, or the Hop Duties, or the Malt Duty, or of any detail of the Income Tax, or even of the mere details of the vote on which we are to come to an issue to-night. All I ask the House is, that it will at least affirm what we consider a vital principle, and that it will allow us to bring forward measures of financial reform (not merely with reference to the particular plans we propose) which depend upon the country being agreed to bear a certain quantity of direct taxation. I do not ask any Gentleman to be in the least pledged by the vote he may come to to-night to any details of this Resolution. I only ask you to affirm that the area of direct taxation should be extended.

House in Committee.

Question again proposed—

> "That, towards raising the Supply granted to Her Majesty, from and after the 5th day of April, 1853, the Duties granted and made payable by the Act 14 & 15 *Vict.* c. 36, upon Inhabited Dwelling Houses in Great Britain, according to the annual value thereof, shall cease and determine, and in lieu thereof there shall be granted and made payable upon all such Dwelling Houses the following Duties (that is to say)" :—

VISCOUNT JOCELYN said, he regretted that he should stand for a moment in the way of hon. Gentlemen expressing their opinions, whose opinions were of far higher value than his; but at the same time he would be sorry to give a vote upon a question differing from those with whom he had hitherto had the pleasure to act—especially differing from the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone), for whose opinion on all matters of general policy he had the highest regard and respect—without stating his reasons for doing so. He had come to the consideration of the proposition of Her Majesty's Government in a different spirit from that which appeared to have actuated those around him. He was one of those who had been returned to Parliament to maintain intact the great measures of commercial freedom on which the fiscal policy of the country had been regulated, and which he believed had tended to improve the condition of all classes; and when he looked at the measures of Her Majesty's Government, it was with no small degree of gratification he found that there was no attempt to reverse the policy which they had adopted—a policy which the Government had acquiesced in—a policy which Parliament had sanctioned. When he looked at the measures of the Government, he found in them a frank admission of the justice of that policy; and he trusted the House and the country would yet find in those Ministers the ablest supporters of a wise extension of that policy. He was not prepared to question the prudence of the course which had been marked out by the right hon. the Chancellor of the Exchequer, in reference to the order in which the items of the Budget were to be taken. If, indeed, he believed that the income tax was henceforth to be considered as a temporary source of revenue—if he believed that any party in this House were prepared to propose measures for its reduction, tending to ultimate abolition—if he believed that the finances of the country would admit of such a step, then he might agree with the right hon. Gentleman the Member for the University of Oxford, that it was their first duty to look to the position of that tax, and to place it on a proper footing. But believing, as he did, that the income tax must, at all events for the present, be viewed as a permanent source of taxation—believing it to be necessary to carry out the financial arrangements proposed—looking to the conduct of different Governments with respect to this tax—seeing that whenever it was on the point of expiring, arguments were found for its reimposition—believing it was not an unpopular tax if fairly adjusted—he could not consider that it was of much importance whether the income tax were discussed now or at a future period. Neither could he wonder at the position which had been assumed by the Government themselves. He could not wonder that they were anxious to ascertain the position in which they stood before the House and the country. Nothing was so objectionable as a Government on sufferance. A Government on sufferance was injurious to the men who formed the Administration, and it was objectionable for the sake of the best interests of the country. They had had experience of a Government of sufferance—they recollected the last three years of the Administration of the noble Lord (Lord John Russell), composed of men of great ability, and presided over by the noble Lord himself, whose integrity and ability were unimpeachable; but the House would recollect that for two years he was impeded in bringing forward any measures of public importance simply by the want of power to carry them out. He thought, therefore, that the Government were right in endeavouring to ascertain their position; they might not have chosen the best, but they had not certainly chosen the least dangerous question on which to test it, and they were not open to the charge of an immoderate desire to retain office. To his mind there were two principles involved in this Budget: the first was a readjustment of the direct taxation of the country; and the second was an extension of the policy which they all supported—a reduction of the duties on articles of general consumption. With regard to the first principle—when he looked at the fact that there were two direct taxes that were imposed upon the country, and that a comparatively small portion of the community were subjected to them, he thought it was matter for grave consideration how far they should allow a system to continue which was obnoxious to every principle of sound policy, and how they could go on for any length of time with a system which excluded a portion of the community deeply interested in the welfare, tranquillity, and good government of the country from bearing a fair proportionate share in its burdens. With regard to the second principle—an extension in the reduction of duties on articles of general consumption—that appeared to him to be a question which depended entirely on the financial condition of the country. He would never be a party to shifting taxation from one class to another, for the purpose of relieving or benefiting any particular interest. Such a principle was contrary to the policy by which he had always been guided. If it should happen that by the reduction of the duty on one article of consumption any particular interest was benefited, so much the better for it, but the advantage to that class alone was no ground for proposing such a reduction. He now came to the consideration of the Budget. Whilst he looked at the separate propositions, he was still desirous to regard it as a whole. In the first place, as the representative—the unworthy representative—of a community largely interested in the shipping interest, he would return thanks to Her Majesty's Government for the care and attention they had bestowed on that interest. His right hon. Friend the Member for Halifax (Sir C. Wood) insinuated the other evening that the measures now proposed by Her Majesty's Government for the relief of the shipping interest were measures prepared by their predecessors. If, indeed, they were so prepared—if, indeed, the predecessors of the present Government were aware of the wants of that community, and had not the courage to bring forward those propositions, all he could say was they were more to blame than he had before believed them to be. But whether that were so or not, as Her Majesty's present Government had had the courage to deal with that question, he tendered them the thanks of the community he represented, and he thought he might also say the thanks of the community at large. He begged also to say, with reference to the shipping interest, during the existence of the late Government he had, on several occasions, brought before the right hon. Gentleman the Member for Halifax the importance of abolishing the timber duties, not so much because he considered the amount of the duty as a point of importance, as because he thought it unjust in principle to maintain a duty on the raw material in manufacture, while the manufactured article itself was admitted to free competition. He trusted the attention of Her Majesty's Ministers would be directed to that subject, as he believed that nothing would more tend to the benefit of the shipowner than the reduction of that duty. He came now to the question of the income tax. He had always thought it a matter for grave consideration how far Parliament was justified, in 1841, in placing the scale of exemption so high as 150*l.*; but it must be recollected that at that time there were important reasons for the course which his late right hon. Friend (Sir Robert Peel) pursued. At that time there was a large deficiency in the Exchequer. It was necessary immediately to meet that deficiency. It was of importance to pas the measure with as little opposition as possible, and it was distinctly declared it would be only imposed for three years. But now that it was to be continued as a permanent tax, none of those arguments held good for allowing it to remain in its present position, and every argument of policy and justice was in favour of its reconsideration. Though he did not bind himself to the details of the Government proposition, he believed it was a step in the right direction. There was another point with reference to the income tax on which he wished to say a word; and here he was sorry to say he was at issue with the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone). He knew the authorities his right hon. Friend had quoted were high authorities. He knew that the names of Mr. Pitt and Sir Robert Peel must always have great weight in that House, and he admitted that the opinion of his right hon. Friend himself was always worthy of great consideration. But there was an authority still higher than the names of these most eminent statesmen, and that authority was his own sense of what was just and right; and he must say that he could not bring himself to believe that it was just and right to levy the same tax upon precarious incomes derived from daily toil and the labour of mental and bodily faculties, as upon incomes of a permanent nature. Precarious incomes depended any moment upon the visitation of God. At any moment the man who had only a precarious income might lose either his mental or bodily faculties, and be wholly incapacitated for exertion; but the man who enjoyed a permanent income, whatever might be the state of his health, still continued to receive that income, and still possessed the power to make a provision for his family. He might be wrong, but his sense of justice revolted against taxing the two men equally, and believing the principle of distinction which the Government had introduced to be equitable, he could not refuse to give it his support. He came now to the question of the house tax. He knew how unpopular that tax was. He knew how he endangered the good feelings of those he represented; but there was a feeling above that—the sense of independence—which should induce every Member of the House of Commons to act as he thought best for the public welfare. It appeared to him that the arguments for extending the area of the income tax applied with equal force to the house tax. Great authorities had pronounced a house tax the best that could be imposed, as testing the means of the occupiers to contribute to the State. The hon. Member for the West Riding seemed to think a house tax was not necessary at all. That was not the question. The question they were considering was this : a house tax having been imposed, would they extend it ? It was proposed to double the amount of the house tax, and to extend it to houses of 10*l*. a year, for the purpose of reducing the duty on malt. He had great doubts of the wisdom of reducing the duty on malt. Regarding it solely as a consumers' question, and not for a moment as benefiting the agricultural interests, he owned that from all he could gather from the highest authorities on the subject, the consumer would be benefited more than people allowed, not so much by the reduction of the tax itself as by the encouragement that reduction would afford to other parties to enter the brewing trade, whereby competition would be introduced, and the community secured the supply of beer at a cheaper rate. Whether the reduction should be made at the present moment or not was another question; but he was satisfied that the question must within a short time come before Parliament, for they had the best authorities in favour of the reduction of the malt tax; and he considered no authority on agricultural questions higher than that of the right hon Baronet the Member for Carlisle (Sir James Graham). If he might be permitted to make a suggestion, he would say that the House should look at the question solely as a question of principle, not of detail. Let them not look at the question of the reduction of the malt tax as involving the necessity of doubling the house tax in order to make up the deficiency; but let them confine themselves to the assertion of principles, and let those principles be the extension of the area of direct taxation, and a further reduction of duties on articles of general consumption. They would carry the first principle in the Resolutions to broaden the area of the house and income tax, and the second is that for the reduction of the tea duties. With respect to the tea duties, he had the honour to be a Member of the Committee which sat five years ago on the subject of those duties; and he well remembered that all the evidence laid before that Committee went to prove the arguments on which the right hon. the Chancellor of the Exchequer had based the proposed reduction—that the price of tea in China would be little, if at all, raised by the increased demand in this country, and that the consumers would be benefited, if not entirely, almost to the full amount of the reduction in duty. He knew no article which entered more into the consumption of the humbler classes, or any that they more dearly prized than tea, and he thought the Government deserved credit for endeavouring to diminish the cost of their favourite to those classes. There was another subject to which he wished to allude—the proposal to tax the funded property of Ireland. They had heard high authorities on both sides of the House. The right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn), and the right hon. the Secretary of State for the Home Department (Mr. Walpole), had fully discussed that point. He did not pretend to enter into the discussion, but this he did say, as far as he had ever known, the funded property of Ireland must be considered as part of the funded property of the United Empire. If, therefore, there was a breach of faith with the public creditor, it was in 1841, when they imposed the income tax on the funded property of England, and left the funded property of Ireland exempt. One reason for not then imposing it on Ireland, was the distress of the landed interest—a distress unparalleled in any country in the world; but, in principle, for the life of him, he could not see why Ireland should not contribute to the resources of the Empire. He candidly acknowledged that no one knew better than he did the condition of Ireland, and the suffering which she had endured; but that was no justification for exempting Ireland from bearing a share of the national burdens. He felt that they, the Irish, had suffered greatly, but England had come forward with a generous hand to assist them. If there were any burdens resting upon the land, let those burdens be relieved; their existence was still no argument why the Irish should not be made to bear their proportion of the burdens on the Empire. He had endeavoured to take a general view of the propositions of Her Majesty's Government; and believing, as he did, that they amounted to the assertion of great and sound principles; believing, as he did, that many of them would be of great advantage to the people—he was not prepared to peril those principles and those great advantages by voting against the Resolution, because he might not approve of every proposition involved in it. In voting for the Government proposition he conceived he was affirming the principle of direct taxation properly adjusted, and the perseverance in those principles which the great statesman with whom he had so long the honour of acting had maintained, of mitigating those burdens which pressed most heavily on the springs of industry.

MR. BERNAL OSBORNE said, that so far from having any wish to review the financial scheme of the Government in a captious spirit, he was willing to give credit to the right hon. Gentleman the Chancellor of the Exchequer for two main points in his Budget. He felt that he was entitled to credit, in the first place, for the relief he had afforded to the shipping interest. He lamented, indeed, that he had not gone further, and taken off the duty on timber; but at any rate he thanked the right hon. Gentleman for what he had done in that line. He thought likewise that the right hon. Gentleman had taken a sagacious and statesmanlike view with respect to the Tea Duties. He was not disposed to quarrel and split straws with him because the reduction was to effected in six years instead of a less time, as proposed by the hon. Member for Glasgow (Mr. MacGregor), but would at once say that he thought the right hon. Gentleman deserved credit for those two propositions. He was even disposed to go further, and say that the statement of the right hon. Gentleman, in bringing forward the Budget, was as clear a statement as had ever been put before that House. He (Mr. B. Osborne) knew no man in that House who combined the two antagonistic qualities of lucidity and obscurity so much as the right hon. Gentleman; but he was bound to admit that in placing his financial statement before the House he had done so without any reserve or mystification, and that there could be no mistake on either side of the House as to what they were about to vote for in the present Budget. Having made these admissions, he trusted he might be allowed to look at the Budget as a whole; and if it was true, as the hon. Member for Taunton (Mr. Mills) stated on the previous night, that there was universal disappointment throughout the country at the contents of the Budget, he would take the liberty of asking what that disappointment had arisen from? Was it not from the magnificent promises which were held out by the right hon. Gentleman the Chancellor of the Exchequer? The promises of the right hon. Gentleman were so magnificent that the people in the country actually thought that he had obtained possession by some means of the philosopher's stone—that a fiscal millennium was about to ensue—that the time was coming when tax-gathering would cease, and when the Consolidated Fund would be converted into a refuge for distressed agriculturists. What was it that "loomed in the distance" in the month of June last? If he understood the promise which was held out by the right hon. Gentleman in his address to his constituents, as published in the *Times* of June last, and again in his speech at Aylesbury, as reported in the same paper, it was just this—that in his forthcoming Budget he undertook no less a task than the total revision of the taxation of the country—not a mere shifting of taxation from the shoulders of one class to another. In the right hon. Gentleman's address to his constituents, dated June 2, 1852—and he (Mr. B. Osborne) begged the Committee to remark that that was not a common address, merely soliciting the votes of the electors, but an address in which he propounded a policy conveyed in beautiful language and most indistinct terms—in that address the right hon. Gentleman said—

> "One of the soundest means, among others (to diminish the cost of production), is a revision of our taxation; juster notions of taxation are more prevalent than heretofore; the possibility of greatly relieving the burdens of the community by both adjustment and reduction seems to loom in the future."

Well, what happened in December? Had they had a revision of taxation? No. All that they had was an ingenious attempt to transfer a large portion of 2,500,000*l.*, which was now raised through the means of an excise duty, to the shoulders of a class who were not supposed to be very favourable to the Government—the 10*l.* householders; and there was this peculiarity about the Budget, that whilst the house tax was to be immediately extended and doubled, and the income tax brought down to men receiving 50*l.* a year from real property, the remission of the tea duties was to be spread over six years. The taxes were immediate, but the remissions loomed in the future. He denied that the Budget would at all conduce to reconcile conflicting interests, as the noble Lord the Member for King's Lynn (Viscount Jocelyn) seemed to suppose. The noble Lord, he observed, had succeeded in catching the jargon of the other side of the House. It was merely "the area of taxation that was to be increased" by the present Budget, they were told—which, to his (Mr. B. Osborne's) mind, looked very much like as if a certain portion of the Budget were about to be withdrawn. The Budget seemed to him as if it had been conceived in a hostile, if not a revengeful spirit, against the middle classes. [*Cries of* "Oh!"] What did the Chancellor of the Exchequer say in that singularly lucid and clear speech of his? He said, that "the tenpounders were revelling in the relief which they enjoyed from the repeal of the corn laws." These words conveyed something very distinct to his mind, and convinced him that the right hon. Gentleman had framed his Budget, not as a healing measure to reconcile conflicting interests, but as a scourge to the backs of those who were "revelling in the relief which they enjoyed from the repeal of the corn laws." He had no doubt himself this was the spirit in which the Budget was framed, "You middle classes have gained everything by the repeal of the corn laws; if you will have free trade, you shall pay for it, therefore you shall have the house duty doubled and extended to houses of 10*l*., and the income tax extended to incomes from property of 50*l*." The noble Lord (Viscount Jocelyn) had rather entered into a discussion of direct taxation. He, for one, did not intend to argue the respective merits of direct or indirect taxation. He candidly owned that he was of opinion that in an old country having to raise 60,000,000*l*. annually, direct taxation should be extended with great caution. He had never been one of those who theorised on direct taxation. It might be very well in a new country; but he very much doubted if, in a country like this, with a great debt and a purely artificial system, they could proceed with safety in making all taxation direct. Sure he was that previous to extending the area of taxation, to use the now fashionable term, they were bound to undertake a review of the whole system of taxation with a view to its revision. But he doubted whether it was wise, politic, or beneficial to make all their taxes depend upon a system of direct taxation. He dismissed that part of the subject, to which he should not have alluded if it had not been alluded to by the noble Lord the Member for King's Lynn. He now came to the speech of the right hon. Gentleman the Home Secretary last night, and he must say that he thought the criticism of that right hon. Gentleman upon the observations of the right hon. Baronet the Member for Halifax (Sir C. Wood) was most extraordinary. The right hon. Gentleman (Mr. Walpole), alluding to the house tax, said that the right hon. Member for Halifax had imposed a most unjust tax upon houses; and what was the remedy proposed by the Home Secretary? Why, he thought the tax so unjust that he proposed to double it at once. [Mr. WALPOLE said that he had described the tax as unequal.] Well, but how did the right hon. Gentleman render it more equal? The Government adopted an arbitrary line, and proposed to extend the tax to 10*l*. houses; but if the tax was just in principle, why did they stop at 10*l*. houses? He was not one of those who were particularly enamoured of the house tax. He doubted the justice of that tax, and he thought the hon. Member for the West Riding (Mr. Cobden) had succeeded last night in making out a very strong case against it; but he asked the Home Secretary, if the house tax was unequal under the dynasty of the right hon. Member for Halifax, how he (Mr. Walpole) made it more equal by extending it to 10*l*. houses? Why were such large numbers of cottages in the country to be excluded from the operation of this extended tax, which would tell almost exclusively upon the towns? He contended that if this tax was just in principle, the Government were bound to apply it equally to town and country. What was sauce for your town goose was equally sauce for your rural gander, and it was not by plucking the feathers of the one bird that any compensation could be given to the other. Let the Committee mark that "compensation" was the term, and he was prepared to argue that this plan of laying on the house tax was nothing more than compensation to the agricultural interest. [*Cries of* "No!"] Several hon. Gentlemen on the other side of the House said no. Were they inclined to listen to what he should adduce as proof? He was sorry to trouble the Committee with another quotation from the Chancellor of the Exchequer. The right hon. Gentleman had been so much quoted that he must bear a charmed life. What said he, in the month of March, and as late as the month of July, as to the plans for compensation to the landed interest? It was a very curious thing that the right hon. Gentleman had fixed upon the exact amount of compensation which he was ready to give. The right hon. Gentleman said—

> "It is quite clear, by your system of local taxation, land is subject to 2,500,000*l.* more than any other property in the country."

Now this was the exact half of the malt tax which the right hon. Gentleman proposed to take off. "If Parliament will not, in the manner I recommend"—namely, by countervailing duties, which were now given up—

> "do justice to the agricultural interest, they must submit to a revision of the taxation of the country, and they may depend upon it the redress which their own sense of justice will ultimately prompt them to accord to the agricultural interest will be obtained in a manner far more coarsely, and by means much more expensive." . . . .
> "The policy of Her Majesty's Ministers is to do justice to the land; to bring in measures of redress for all those great producing interests which are now suffering injustice; if the country will not have recourse to these remedial measures we bow to their decision; but, though we may not be Ministers, still, as Members of Parliament, we will labour for other measures of redress; we will, though in opposition"—[in which situation he (Mr. B. Osborne) hoped soon to see them]—"exert ourselves to obtain those countervailing and compensatory regulations which justice demands."

That was in the month of March; but, at a dinner of his constituents at Newport Pagnel, on the 14th of July, the right hon. Gentleman said—

> "It is in reviewing the system of taxation, in the readjustment of that system, that the cultivators of the soil will find that compensation which they have a right to expect from the abrogation of the corn laws."

That was the opinion expressed in the month of July last by the right hon. Gentleman at the head of the Government—[*Laughter.*] Well, the right hon. Gentleman the Chancellor of the Exchequer was at the head of the Government. There was no doubt of that, and he was glad to see the right hon. Gentleman, on account of his abilities and talents, in such a position. But what did a right hon. Gentleman say who was at the tail of the Government? He would inform the House what were the opinions of that right hon. Gentleman, which were so far valuable, because he was almost the last of the Romans—the last of the Protectionists. Whenever that right hon. Gentleman wrote a letter he, (Mr. B. Osborne) was always delighted to see it. It was true that a great many letters had been forged in the right hon. Gentleman's name, but, in order to secure correct copies, he (Mr. B. Osborne) did—what he recommended every hon. Member to do—he took in the *Stamford Mercury*, a most excellent paper, and, having the advantage of being the right hon. Gentleman's organ, no fictitious letters were printed in it. Well, what did the right hon. Gentleman the Chancellor of the Duchy of Lancaster say? He was going to read them the right hon. Gentleman's very last, last letter. He would pass over the right hon. Gentleman's avowal that he was one to maintain monarchical institutions, and all his reflections on his friend Sir Montague Cholmeley, and come to his opinion of the present Budget. Here was the Chancellor of the Duchy of Lancaster writing to those deluded Lincolnshire farmers, and here was what he said—

> "The Government have presented a financial scheme, which, although there is only a surplus revenue of 1,300,000*l.*, will relieve the agricultural interest of a vexatious impost to the amount of 2,500,000*l.*"

Well, the right hon. Gentleman did not seem particular to a shade or two. He did not tell those to whom he wrote that in his way of stating the question he was leaving a deficit of 1,200,000*l.*, but he endeavoured to persuade the electors of Lincolnshire that the financial scheme of the Government would, from a surplus revenue of 1,300,000*l.*—the Government, he (Mr. B. Osborne) supposed, being so generous as to make up the difference from their own salaries,—enable them to remove a vexatious impost of 2,500,000*l.* Now, he asked any Gentleman whether, after hearing these statements of the head and tail of the Government combining all shades of opinion, they could doubt that the house tax was laid upon the middle classes as what the right hon. Gentleman called a compensatory regulation for the suffering agricultural interest? [*Cries of* "Oh!"] He thought there could be no doubt that this house tax was laid on for no other reason than as the right hon. Gentleman the Chancellor of the Duchy of Lancaster said, to compensate the agricultural classes for what they had lost by the repeal of the corn laws. Now, they had heard a great deal about the malt tax, and he must say that if the Exchequer was overflowing, and other more oppressive taxes were taken off, he, for one, would have no objection to vote for the repeal of the malt tax; but at the same time he thought it was one of those taxes which ought not to be removed, unless the country was in a state of great prosperity, and there was a real, and not a fictitious surplus in the Exchequer. The right hon. Secretary for the Home Department, in dealing with this question last night, had argued as if there was a great surplus in the Exchequer, and he did not seem for a moment to consider that by taking off the malt tax he was making a deficit. The right hon. Gentleman kept steadily out of the consideration of the Committee the fact, that in taking off the malt tax he was making such a deficit that the Government were obliged to extend and double the house tax, and to lower the income tax to 100*l*. of precarious income, and 50*l*. of fixed incomes. The right hon. Gentleman had argued the matter as if he was doing all this from an overflowing Exchequer, instead of commencing by making a deficit. He (Mr. B. Osborne) thought the right hon. Home Secretary, when he was arguing as to the effect of repealing the malt tax, and looked back for something like 100 years, quite forgot the altered habits and tastes of the people of this country. He seemed completely to have forgotten that the people of this country now consumed upwards of 60,000,000 lb. of tea, and 40,000,000 lb. of coffee, a circumstance unheard of 100 years ago, and that the taste for those beverages was unquestionably extending. He (Mr. B. Osborne) would not stop to argue this question upon sanitary grounds, for he believed that to be purely nonsense. He believed it would be just as possible to prove that there was a great increase of nervous disorders in consequence of the use of tea, as to prove that there was any harm in good wholesome beer—such beer as was brewed by his excellent Friend the Member for Derby (Mr. Bass). He (Mr. B. Osborne) believed with the noble Lord the First Commissioner of Woods and Works (Lord J. Manners) beer to be a good, wholesome, and national beverage, and, therefore, he at once dismissed all sanitary considerations on the subject. He must deny, however, that this proposed reduction of the malt tax was a consumer's question. He denied that the price would be materially affected so far as the artisan and mechanic were concerned. What had every Gentleman who was acquainted with the brewing trade, and who had spoken during the debate, said on the subject? The hon. Member for Derby, who, he thought, had sailed rather near the wind with regard to protection, had admitted last night, that although barley had been falling in price for many years, the brewer was the only man who got the benefit. Indeed, that hon. Gentleman said in effect, "If you'll take off the whole malt tax, we will give you something handsome;" and it seemed that this "something handsome," if one-half the malt tax was repealed, would be a farthing a quart on the price of beer! But if it did not benefit the artisan, how would this partial remission of the malt tax benefit the farmer? Now, he was himself a considerable barley-grower. He had taken some pains in considering the subject, and he did not believe the proposed measure could benefit the agricultural interest generally. What portion of the agricultural interest was chiefly suffering at this time? Not the producers of barley. He knew that the barley-producers were never better off than they were now. He had himself sold barley last week, and he had never got a better price since he had been farming. But what was the description of agricultural land, the occupiers of which were now complaining? The heavy clay lands, the wheat lands. Well, he might be told, perhaps, that this land would be forced into the production of barley; but what sort of barley would they get from such land? Every one at all acquainted with the subject knew that the inferior sorts of barley had no sale with the brewers, but the brighter kinds of barley, such as the best Chevalier barley, were what they bought. It was then absurd to suppose that the partial remission of the malt tax could be of any benefit to the farmer. Then something had been said about the advantages which would be derived by the farmer with regard to the fattening of cattle; but the opinion of all the practical men of science—of Baron Leibig, of Dr. Lyon Playfair, and of others, who were examined before Lord Monteagle's Committee in 1846—was, that cattle might be fattened much better upon ground barley than upon malt. He denied that this partial remission of the malt tax would benefit either the consumer by lowering the price of beer materially, or the agricultural interest as a whole, by allowing the farmer to grow a high class of barley, or to fatten his cattle to advantage. But he could adduce on this point the evidence of a Gentleman who had applied his mind to these matters, and who was well qualified to form a judgment on the subject. In the year 1851, when the hon. Member for Derby (Mr. Bass) brought forward his Motion for a reduction of one-half of the malt tax, the hon. Member for North Warwickshire (Mr. Newdegate) expressed himself in the following terms:—

> "No man had voted more steadily than himself for the total repeal of the malt tax; but its partial remission would neither diminish the expense of its collection nor remove the restrictions which it imposed upon agriculture or on brewing at home; in short, it would afford none of those indirect advantages which the agricultural community valued. . . . . . He should much rather support the partial reduction of a Customs duty than of an Excise duty, because a reduction in the former case would lead to a diminution in the staff for collecting the Customs, while no such advantage could be obtained by the partial repeal of an excise tax."—[3 *Hansard*, cxvii. 912.]

Now if he (Mr. B. Osborne) were to speak for five hours—if he were making a Budget speech, and he did not say so sneeringly, for he had listened with great delight to the whole speech of the Chancellor of the Exchequer—he could not adduce better reasons against the partial remission of the malt tax. He therefore claimed the vote of the hon. Member for North Warwickshire on this occasion. He had, however, a still higher authority against the partial repeal of the malt tax—that of the late Sir Robert Peel, who summed up most compendiously the advantages and disadvantages of the tax in a speech which he made in 1835. In that speech the right hon. Baronet proved most conclusively that no tax was collected at so trifling a loss to the revenue, and he showed that 5,100,000*l.* of revenue was collected at an expense of only 150,000*l.*, and he warned the House in the most emphatic language against tampering with that tax. He (Mr. B. Osborne) found that whenever the House had made any changes in the malt tax, they had always come back to its reimposition. In 1816 one-half of the malt tax was removed, and in 1819 it was again imposed. In March, 1821, the tax was repealed, and in the following April the vote was rescinded. In 1833, on one Friday the tax was repealed, and, on the following Friday that vote was rescinded. In 1833, Sir William Ingilby, who was then an amateur Chancellor of the Exchequer, brought forward a Budget, by which he proposed to repeal the malt duty; that Budget was accepted; but the House of Commons would not make up the deficiency which that repeal would occasion by laying on fresh taxes on houses and windows; on the contrary, they took off the taxes on houses and windows. They were put on again, but it remained for the right hon. Gentleman the present Chancellor of the Exchequer to propose to repeal half the malt tax and to make up that deficiency by laying a tax on houses and incomes. He thought that if the Committee adopted the proposal of the Chancellor of the Exchequer, they would enter upon a most mischievous course, for they would remove a tax which was collected at the least possible expense, which was onerous and oppressive to no one, which would not relieve the agricultural interest as a whole, and which would not cheapen beer to any great extent. They would, in fact, be repealing a tax in order to keep up a delusion that it would benefit the agricultural interest, while, in fact, it would only benefit the brewer and the publican. He must say he regretted that the Chancellor of the Exchequer appeared to have forsaken all his former schemes. He wished to know why the right hon. Gentleman had not moved for a Committee of the House to consider the peculiar burdens affecting land. What had become of the right hon. Gentleman's schemes for the growth of tobacco in Ireland? What had become of the right hon. Gentleman's proposals for placing the establishment charges of the poor-rate on the Consolidated Fund? The right hon. Gentleman had given no reason the other night for not having stood by his colours, and for not bringing forward some Motion to place the establishment charges on the Consolidated Fund. If the right hon. Gentleman's arguments were good for anything in 1849 and 1850, why did he not bring forward some Motion on these subjects now? He (Mr. B. Osborne) would not promise the right hon. Gentleman his vote, but he would tell him this, having some interest connected with land—that he thought it would be a very fair subject of inquiry whether there were any peculiar burdens affecting land, in order that the question might be finally set at rest. He thought the right hon. Gentleman was bound, after all his promises, to have held out to the agricultural interest something more solid than this partial repeal of the malt tax, which was, in fact, no concession to the agricultural interest. He (Mr. B. Osborne) entirely dissented from the manner in which the income tax had been treated by the Government. He regarded that tax as most inquisitorial in its nature, and as extremely demoralising to the people of this country. It was only necessary to read the evidence of Mr. Pressly, and of the other witnesses examined before the Committee on the Income Tax, to be satisfied of its demoralising tendency. He must, however, deny the statement which had been made, that that tax had been imposed in order to maintain free trade. He understood, when the tax was brought forward by the late Sir Robert Peel, that it was proposed as a temporary expedient to make up a deficit. It was merely a temporary expedient voted for three years; but Parliament had since gone on voting it for three years at a time. It had been said that the public had become habituated to this tax; but, for his own part, he hoped the public would not become habituated to it, for he regarded it as a most odious tax, because it was both inquisitorial, and, therefore, demoralising. The Government were bound to state their views upon this subject, and as to the length of time for which this income tax was to be imposed; for they had at other times given very strong opinions upon it. Lord Derby said, on the 28th of February, 1851, in the other House, that "any surplus revenue that might arise should in the first instance be applied towards a reduction and final extinction of the income tax;" and that was followed up in the House of Commons by a Motion to that effect, made by the right hon. President of the India Board (Mr. Herries), whom he (Mr. B. Osborne) was sorry not to have heard upon this Budget, for the right hon. Gentleman was an able financier, and his studied abstinence from assenting to anything in this Budget was remarkable; when he was appealed to, there had been nothing but a grave shrug and a very suspicious silence. He (Mr. B. Osborne) would not go into the distinction attempted to be drawn between precarious and certain income; he did not feel qualified to give any opinion as to the justice or the scientific accuracy of the discriminating duty proposed. That question had puzzled many wise men. He remembered hearing the late Sir Robert Peel say, that if you determined to interfere in that way, you would have to do away with the tax altogether—that you never could make any approximation to a discrimination. He (Mr. B. Osborne) wished to look further into the subject before pronouncing upon that part of the scheme. He would proceed now to advert to some very remarkable opinions which he had heard uttered the other night by the hon. Member for Hertfordshire (Sir E. B. Lytton), whom, however, he begged to assure, when venturing upon any criticism of those opinions, that no one more admired his literary talent; he read him with delight by day, and listened to him with pleasure by night; he was a man who must do honour to any assembly of which he was a member. But this must be said of that distinguished Member of Parliament and of the literary world, that he gave somewhat original reasons for his change of politics—a subject into which he (Mr. B. Osborne) should not have thought of entering, but that the hon. Baronet had considered it necessary to make a defence, not only for the Ministers, but for himself, when his conduct was not impugned. The hon. Baronet said he had always abided by the Liberal party till it was in a state of exhaustion, and then he left it. For what? Because he differed with them on the principle of free trade. And what did he do? Why, he joined the other party just as they had given up the principle for opposition to which he had left his friends! A singular reason for so eminent a Member of Parliament to give! Singular that he should have left the corpse of the noble Lord the Member for the City of London without consigning it to a decent funeral; but more singular that he should have left the noble Lord upon a difference on the principle of free trade, and joined the right hon. Gentleman opposite just as he had given up the principle for which the hon. Baronet forsook the noble Lord! He hoped the hon. Member had not forgotten his speeches for the ballot and triennial Parliaments. He hoped the air of Hertfordshire had not had that enervating effect upon him that he had forgotten his vigorous youth when representing Lincoln. But he chiefly referred to the hon. Baronet because he gave an extraordinary opinion, for him, the other night, in favour of direct taxation. Probably one of his books, by which he would live longest in the world, was that admirable work upon the institutions of this country—*England and the English.* He (Mr. B. Osborne) would advise every new Member immediately to get a copy of that work, because there was a chapter on the formation of a national party which, at this particular epoch, was well worthy of study, and in which he gave his opinion upon taxation; and here were his views on taxation. They were a little curious, as compared with his present views. This was in chapter 8. The book was published in 1840:—

"I have little faith in the virtue of any commutation of taxes. I have studied the intricacies of our finance; I have examined the financial systems of other countries; and I cannot discover any very large fiscal benefit as the probable result of new combinations of taxation. House and window taxes are less just than property tax."

He then went on, in reference to direct taxation, of which he was now enamoured—

"An immense national debt renders direct taxation a dangerous experiment."

And here was a most extraordinary note; he believed it was only appended to the fourth edition. [Sir E. B. LYTTON: The book was written twenty years ago.] This was published in 1840, according to the date on the title page. [Sir E. B. LYTTON: Yes; but that is a recent edition. The book was originally published in 1833.] But had the hon. Member forsworn all his opinions of twenty years ago? Then he did not tell the whole secret the other night. He thought the hon. Member quitted his party only for free trade. But at any rate this note was worth listening to, and was most instructive. This was revised by the hon. Gentleman; it was the last edition he revised, and here was the editor's note; let county Members listen to this:—

"I firmly believe that if the national debtor be ever in danger, the fatal attack will come less from the Radicals than the country gentlemen, who are jealous of the fundholder or crippled with mortgages. The day after the repeal of half the malt tax (leaving a large deficit in the revenue) was carried, I asked one of its principal supporters, a popular and independent country gentleman"—

He (Mr. B. Osborne) believed it was the hon. Member for the North Riding, Mr. Cayley, and he had nothing to say against the account of him—

"how he proposed to repair the deficit? 'By a tax of 2 per cent,' quoth he, 'upon Master Fundholder.' 'If that does not suffice,' asked I. 'Why, then we must tax him 4 per cent,' was the honest rejoinder!"

The hon. Member, transplanted from the healthy atmosphere of Lincoln to the rather sickening and enervating soil of Hertfordshire, came down and said it was written twenty years ago. He (Mr. B. Osborne) supposed the hon. Member was now a convert to direct taxation, and very probably he would go upon "Master Fundholder." In this debate very little comparatively had been said upon the Irish part of the question. The right hon. Gentleman the Chancellor of the Exchequer, in his address to the Buckinghamshire constituency, eloquently alluding to that country, said that "Ireland had irresistible claims." He

(Mr. B. Osborne) was one of those who, though representing an English constituency, but not from any paltry considerations merely of property in Ireland, would never shrink from saying that he thought, under the circumstances of Ireland, it was neither wise, beneficial, nor politic, to extend any additional taxation to that country. He would go further, and say, the "Consolidated Annuities" were a gross injustice to that country; and the labour-rate, by which money was forced upon the people of that country, and no option was given them in the spending it, but their roads were broken up and the people demoralised was a bad and unjust system. He would say, further, that the potatoe famine ought always to be looked upon as an Imperial calamity, and Ireland no more charged for it than she would have been for the expense of a defence if a foreign invader had landed in Ireland; and till these accounts were put upon a juster footing, he, for one, would be no party to an increase of taxation upon Ireland. But, if the arguments of the hon. Member for Belfast (Mr. Davison) last night were to have any weight, one could have little hope for Ireland. The hon. Member, who said he was no orator, but a simple man of business, gave as a reason for supporting the Budget, that there was a most popular Lord Lieutenant, a most amiable Chief Secretary, and most intelligent Law Officers. It was true enough; but was that any reason why the people of this country were to be loaded with the house tax? If he (Mr. B. Osborne) might respectfully address himself to the Irish Members, who he thought in the main always voted right, for the advance of great and liberal principles, he would say to them, "Beware how you inflame the mind of the English people by laying on a tax you refuse to bear yourselves." But the virtues of the Irish functionaries were no argument for laying on a tax, and would be very little consolation to the English householder when the collector called. The right hon. Gentleman the Home Secretary wound up his most interesting and spirited speech by an elaborate panegyric upon his Colleague the Chancellor of the Exchequer. He (Mr. B. Osborne) was not prepared to say that in many points of that panegyric he did not fully concur. He would grant all that was said as to the energy, the ability, the great powers of the right hon. Gentleman—he would grant it ungrudgingly and fully. He thought the right hon. Gentleman had the *ingenium velox, audacia perdita, sermo promptus.* But he must take exception when the right hon. Home Secretary talked of him as the most bold and prudent financier the world had ever seen. With regard to finance, he (Mr. B. Osborne) was of opinion that the great majority of that House would incline to think that in financial projects "discretion was the better part of valour." But the right hon. Gentleman went on to say, following in the footsteps of the hon. Member for the North Riding (Mr. Cayley), that this Budget must be a most popular Budget, because there was such a cordial reception at Guildhall; and he quoted a passage from *Lucretius*, as he (Mr. B. Osborne) believed, but he was irresistibly reminded of a parallel case, as narrated by Buckingham to the Duke of Glo'ster, of what had occurred in the Guildhall when the Duke's claim to the Crown was urged there. Gentlemen would remember the quotation in Shakspeare:—

> "When he had done, some followers of mine own,
> At lower end o' the hall, hurl'd up their caps,
> And some ten voices cried 'God save King Richard!'
> And thus I took the 'vantage of those few—
> 'Thanks, gentle citizens, and friends,' quoth I;
> 'This general applause and cheerful shout
> Argues your wisdom and your love to Richard.'"

The passages were somewhat parallel. He would venture to suggest to the right hon. Home Secretary, when he quoted the reception at Guildhall, that it was not very probable a set of well-to-do gentlemen, who were met to discuss the tender merits of turtle and venison, would be inclined to criticise with any severe eye the dry details of a financial project. No, those were not the classes they must quote as giving a cordial reception to their Budget. It was the industrious clerk, striving to support his family upon an income of not 150*l.* a year—it was the energetic mechanic just emerging into independence, whom they must ask what they thought of the Budget. Sure he was this Budget could never be popular with those classes in this country; and he called upon the Committee, in the name of those classes, to resist a Budget which was based at once upon tyranny and injustice.

Mr. Alderman THOMPSON said, that he should like to hear the hon. and gallant Member who had just sat down state to the House the sources from which he thought the taxation of the country ought to be raised, and how the national credit was to be maintained? He had always been foremost in favour of the remission of indirect taxation. [Mr. Osborne: No!] Why, the hon. Gentleman had voted for the repeal of the corn laws, the abolition of the differential duties on sugar, and other indirect taxes. The hon. and gallant Member had declared himself disappointed with the proposition of the right hon. Gentleman, and had characterised the Budget as meagre; but, on the other hand, the right hon. Gentleman the Member for Halifax and the right hon. Member for the University of Cambridge were of opinion that the Chancellor of the Exchequer had aimed at too much, and that he would have done better if he had extended it over two years. In his (Mr. Alderman Thompson's) opinion, the Budget was a bold, statesmanlike, and wise measure, and deserved the confidence of the country. He would even go further, and say that, with the exception of certain objectors within the walls of Parliament, it had been received with very general acceptation. The hon. Member said the Budget was framed in a revengeful spirit. Did he mean to say that the working classes would receive no benefit from the reduction of the duty on tea, and from the reduction of the sugar duty in July? [Mr. Osborne: That is not in the Budget.] Well, but when he complained of the hardship upon those who occupied houses at rents between 10*l.* and 20*l.*, it was proper to show that the occupiers of 10*l.* houses had obtained great relief from the course of legislation which had been adopted of late years, and that they had no cause of complaint whatever in being called upon to contribute towards a house tax. The tax, in point of fact, would fall upon the capital invested in houses, the rents of which were from 10*l.* to 12*l.*, the returns from which were in general from 10 to 20 per cent; it appeared to him, therefore, that the proposed extension was rather a landlord's than a tenant's question. The hon. Gentleman the Member for the North Riding had attempted to show the distinction between taxing houses and land; but land being worth thirty years' purchase, and houses only fifteen, it was clear that the latter produced double the income, and ought to pay a larger rate of taxation. He did not mean to say that he was prepared to vote for doubling the house tax, but that he was prepared to vote for extending it to the 10*l.* householders, both because of the large incomes which houses of that denomination produced, and also in consideration of the advantages which their inhabitants had derived from the diminution of taxation in other ways. With respect to the shipping interest, he felt persuaded that it would be found in every way beneficial. It had been stated by hon. Gentlemen opposite, that to have reduced the timber duties would have been a greater boon to the shipping interest than what the Chancellor of the Exchequer now proposed to do. He was startled at the assertion; and, to test it, had only yesterday asked a man—not biassed, for he was a very good Whig—a man who was one of the largest shipowners and shipbuilders in England, and, consequently, in the world, what he thought on the subject. The reply was, that nothing in the world could be better than the Chancellor of the Exchequer's proposal; that the repeal of the timber duties would be a mere drop in the ocean compared to it. He (Mr. Alderman Thompson) then asked this gentleman what he should save by the repeal of the timber duties, in the building of one of his magnificent ships of 600 to 2,000 tons, and which cost about 20*l.* a ton? The answer was, "2*s.* 6*d.* a ton;" in other words, 2*s.* 6*d.* on the 20*l.* He would admit, however, that ships employed in the coasting trade would benefit to a greater extent; the saving in their case might be 7*s.* 6*d.* a ton. He thought, therefore, that this statement was a sufficient contradiction of the erroneous notions which existed in regard to the advantages the shipping interest would derive from a repeal of the timber duties. While giving his humble thanks to the Chancellor of the Exchequer for what he had done, and promised to do, with regard to pilotage and the manning of the mercantile marine, there was another point, not touched upon, but more important than any alluded to, as regarded the commerce of this country—that was, the question of salvage by the Royal Navy. That had been a grievance ever since he had been in business, and he had no hesitation in saying that the present system operated most severely and unjustly against the shipowner. He would give one or two instances of its unfair pressure, for the purpose of proving his statement. He had held the office of chairman at Lloyd's, and recollected a case which, at the time, attracted the attention of the whole commercial community, and which he would state now to the Committee. Her Majesty's frigate *Thetis* was on the coast of South America in 1830, and to accommodate the merchants she went from port to port to collect specie. On the 4th of December she sailed from Rio, and on the 5th ran foul of a reef of rocks off Cape Frio, and was lost. Her preceding captain had been unfortunately drowned, and the Admiral on the station had appointed an officer to command her. A court-martial was summoned, and it found that the officer in command had not shown sufficient care and skill in the navigation of his vessel. Meanwhile Admiral Baker sent three sloops of war to see what they could get from the wreck, and to recover as much as possible of the specie. Originally the *Thetis* had on board about 800,000 dollars belonging to various English merchants, and worth, in our money, some 200,000*l.*; of this about 150,000*l.* was recovered. They should mark what followed. The Navy, the Admiral, and the captain who was appointed for this particular duty, first claimed salvage—claimed it under the circumstances already stated—that the ship, according to the finding of the court-martial, had been lost for want of sufficient skill in its commanding officer. After much litigation, the matter ended in this way—the officers of the Navy obtained 29,000*l.*; 13,800*l.* was claimed by the Admiral for the use of the three sloops, for interest, and for seamen's wages; and there was a bill of 7,000*l.* for stores. The conclusion therefore was, that within a trifle of 50,000*l.* was claimed and paid in this case on account of salvage. He said these were charges on the commerce and shipping of this country which were unendurable, and which did not exist in any other country. Take another case. A British merchant vessel, the *Rosalie*, sailed out of the port of Monte Video. About eight hours afterwards the captain discovered that she was on fire. He put about ship and sailed back; but the wind was adverse, and he was obliged to take to his boats. He went to the British consul at Monte Video and communicated the disaster to him, and the consul thereupon immediately gave him a letter of introduction to the captain of the *Locust*, a Government steamer. The *Locust* proceeded to the ship which was on fire; but in bringing her into port both ships got on shore, and would have been wrecked but for the interference of the Brazilian Admiral. The captain of the British ship went to the Brazilian Admiral, and asked him what claim he had to make for saving his ship. His reply was, "None whatever; it gives me great satisfaction to have been able to serve the vessel of a friendly Power in distress." But, notwithstanding that generous declaration, the course adopted by the captain of the *Locust* was very different. He immediately placed a *distringas* on the ship and cargo for salvage, for which he claimed 3,000*l.* Yet such abuses went on year by year without being prevented or reformed. He was confident that the noble Duke at the head of the Admiralty would readily be instrumental in carrying out measures for the advantage of the mercantile marine. Wherever there was hazard of life—wherever efforts must be made to save life—the officers of the British Navy ought to be rewarded. The system that existed was one which had been allowed to endure too long. With regard to that part of the Budget which had reference to the sugar colonies, though they would probably receive relief to the extent probably of 1*s.* 6*d.* per cwt. by the facility proposed to be given for refining sugar in bond, yet he must own that when he heard from the Chancellor of the Exchequer that the course of legislation which had been observed towards the Colonies was unjust, he did hope the right hon. Gentleman would have proposed some measure for their relief. He did hope this, because, though he admitted that for the last three years there had been an increase of British plantation sugar, he believed that had been owing to the quantity of cane planted in 1851, when there was a differential duty of 7*s.* per cwt. He was afraid that in the next two years, when the duties on British and foreign-grown sugar would become equalised, it would be found that the West Indian colonies would fall off greatly in respect of production. He deprecated the mode in which allusion had been made to the circumstances that Parliament had granted half a million of money to be lent to proprietors in the West Indies, and that they had not taken half of it. He felt that the course those proprietors had taken had been suggested by the most honourable motives; and that, but for their being conscious of their inability to fulfil the engagements which a loan implied, they would have availed themselves of the grant to a greater extent than they had. As regarded the proposed reduction of the duty on tea, independently of other considerations, he had always been apprehensive that if we continued a duty upon that article of something like 240 per cent, whilst China was admitting our manufactures at 5 per cent, and America, which was the most importing country in point of quantity, admitting tea from China free of duty, the time would come when the Chinese Government would say, "We charge you 5 per cent only on your cotton, an article of very great consumption in China, and in which the Americans now carry on an almost successful competition with you, yet you will not admit our tea, which is almost the only article we send you, except at this exorbitant duty. We certainly shall not any longer allow your goods to come into our country at 5 per cent, while we are paying upwards of 100." That this would be the language of the Chinese had long been his apprehension, an apprehension which this measure, he was glad to say, removed; and therefore he gave his entire approval to this proposition. He would next refer to the Income Tax; and here he must say he admired the courage of the Chancellor of the Exchequer, who had ventured upon a much-needed modification, which he hoped the right hon. Gentleman would successfully carry out. Coming, then, to the very severe censures of the right hon. Gentlemen the Members for Halifax (Sir C. Wood) and for the University of Oxford (Mr. Gladstone), as to the extension of the income tax to funded property in Ireland, he would refer them to the Act of Parliament, which might perhaps throw some light upon the subject; he would remind them that the debt was a debt of the United Kingdom, not of England only, nor of Ireland only. By an Act passed in the 5th *Geo.* IV. cap. 35, sec. 6., for the purpose of facilitating the transfer of stock from England to Ireland, or *vice versâ*, it was enacted that, "each of the several stocks should be deemed, reputed, and taken to be one capital or joint-stock." And how did this operate? The right hon. Gentleman said they must look what a cruelty it was to the poor shopkeeper in Dublin who had perhaps a sum of 50*l.* a year in the Irish funds to pay the income tax on that amount. But the right hon. Gentleman made this mistake—it was not the poor shopkeeper, nor the poor farmer or landowner in Ireland who were the stockholders; it was the banking interest who were the stockowners, the joint-stock banks, carried on not by Irish but by English capital, and making large profits. Was it right they should escape the tax on property? He had been investigating the nature of the transactions between England and Ireland in stocks since the imposition of the income tax in 1842, and he found that from England to Ireland there had been transferred 16,590,927*l.*; from Ireland to England during the same period, the amount of stock transferred had been 10,849,836*l.*; Ireland had therefore a balance in her favour of 6,000,000*l.*, which did not pay duty at all. But if he went to the terminable annuities, where the tax was about fifteen or sixteen per cent, the Irish had no competition; in 1842 they amounted to between 700*l.* and 800*l.*, and now to 120,839*l.* Was this their justice to Ireland? It was not all. He found that about a fortnight before the stocks were closed, there was an enormous transfer of funded property to Ireland, and that as soon as the dividend was paid in Ireland, it was all sent back again. There was no expense attending the transfer, because the Act said this stock should be transferred without any charge. If he held 10,000*l.* Consols in the English funds, and wished to transfer it to the Irish, all he had to do was to get a certificate from the Accountant General, on presentation of which at the Bank of England they gave an order on the Bank of Ireland to raise 10,000*l.* Consols, and cancelled those which he held in the English funds. That was a very simple and convenient operation; he admired it very much; but this facility was liable to abuse. The right hon. Gentleman the Member for Halifax bade the Irish Members, the other night, take care of this income tax, warning them that the Chancellor of the Exchequer wanted to get the point of the wedge in as a preliminary to driving it home. The hon. Member for Marylebone not only put it in, but wished to drive it home. But although he entirely appproved of the extension of the income tax to Ireland, he did not go along with those who wished to extend it to Ireland generally. He could not forget the hardships which that country had endured, and the great sacrifices of property which the Irish had been obliged to make under the Encumbered Estates Act. And though he hoped the time was not distant when Ireland might bear a fair proportion of the national burdens, he contended that that time had not yet come. He regretted to hear the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn) characterise the Budget as one that tampered with the national credit. Look at the best indicator. How much had the premium upon Exchequer Bills fallen since this Budget had been introduced? How much per cent had Consols fallen? That was the very best answer to the right hon. Gentleman's objections. With regard to the application of the 400,000*l.* to be received from the repayment of loans, he contended that the Chancellor of the Exchequer was perfectly right. What was that fund? It was the difference in the rate of interest between borrowing and lending. Upon that transaction the country had made a profit of 360,000*l.* He should treat it the same in any private transaction of his own. If he borrowed a fixed sum of money at 2 per cent, and employed it at 4, he gained 2 per cent, and he should consider the difference available capital.

SIR C. WOOD said, the hon. Gentleman was in error in supposing that he disapproved of the proposal of the Government as regarded the relief of the shipping interests. He must refer the hon. Gentleman to the speech of the Secretary of State for the Home Department, who, the previous night, said he was glad to find he entirely approved of it.

MR. ALDERMAN THOMPSON said, he had understood the right hon. Gentleman to have stated that he thought a removal of the timber duties would have been more beneficial to the shipping interest.

SIR BENJAMIN HALL said, it was not his intention to follow his hon. Friend who had just sat down, through all the topics upon which he had touched. The real question for the consideration of the Committee now, was the first proposition of the right hon. Gentleman the Chancellor of the Exchequer to double the house tax; and until that evening, he had certainly expected that that was the point which was to be decided in the first instance. It seemed, however, that the right hon. Gentleman the Chancellor of the Exchequer did not feel inclined to take issue on that question, and that he now wished the House to limit that issue to a very narrow compass, namely, that the area of taxation shall be extended. That was not the question. The question was, should the house tax be doubled, for the purpose of repealing the malt duty? The right hon. Gentleman, with his usual versatility of purpose, tried to evade his first propositions as to the house tax, and was desirous of confining the issue, and taking the question as to whether the area should be extended. But that was too limited a question to discuss; and he (Sir B. Hall) would hold the right hon. Gentleman to the positive issue upon which, only two days since, the Minister stated he would stake the existence of his Cabinet. The Secretary of State for the Home Department had given it as his opinion, that although the Opposition took some exceptions to the Budget, yet as they made some admissions, they should vote for the Budget as a whole, and move amendments at subsequent periods. This would be a very fair course if the exceptions were not paramount to the admissions, and the latter were only of minor importance; but such was not the case, and the whole scheme of the Chancellor of the Exchequer was based upon a proposition (that of doubling the house tax), so objectionable that he (Sir B. Hall) could not for one moment assent to it. Connected as he was with a large house constituency, he would beg leave to detain the House for a short time. He would endeavour to show that the doubling of the house tax was unjust; that the distinction made between the tenant-farmer and the tradesman was most unfair, and ought not to be carried out; and that the whole scheme was directed against the inhabitants of towns. He was prepared to show that as regarded the farmers, they would, as compared with the inhabitants of towns, be greatly benefited by the alteration of the present Budget. But before he entered upon these several points, he must notice an observation which had fallen from the noble Lord the Member for the City of Durham (Lord A. Vane), who had said, that if any unpopularity attached to this house tax, it would be owing to himself (Sir B. Hall), who had organised his battalions against this tax. That statement was without foundation. The right hon. Gentleman the Chancellor of the Exchequer, in his speech on Friday night, spoke of the intelligence of the inhabitants of the metropolis. He concurred in that view of the right hon. Gentleman as to their intelligence, and that intelligence, he submitted, would learn them to discern whether a proposed tax was just or unjust; and if the latter, they would naturally meet together to oppose its imposition, and if they did so it was the duty of their representatives to give them all the assistance in their power. Their course was like that taken in the pro-corn-law agitation. Noble Lords and hon. Gentlemen who now denounced agitation by others, collected large masses of the people to discuss their views. The only distinction between the course of that agitation and the present was, that their (Sir B. Hall's) agitation was for a good object, while their opponents was the reverse. The fact was, the cause of their opponents was a bad one, and it broke down. But their case was a good one, and it would succeed. And whether the Ministers succeeded in carrying their proposition on that subject or not that night, they might rely upon it, as the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn) had told them, the tax would be so unpopular that they would have the same number of petitions against it on the table of the House as in 1833 and 1834, and they would be ultimately obliged to abandon it altogether. His noble Friend the noble Lord the Member for Lynn (Viscount Jocelyn), said that this was not a question of the house tax. He agreed with his noble Friend that this was not so much the question of a new house tax as it was a question of whether they should double the tax that existed. He (Sir B. Hall) did not deny that houses ought to be taxed as property. There could be no doubt of that. But if they went beyound that then taxation became unequal, and it must break down. They had agreed with the late Chancellor of the Exchequer to compromise the imposition of a house tax of a smaller amount to get rid of the window duties, and they did not intend to have that arrangement broken through. By that arrangement the householders had yielded a great deal, and he wished to know why the inhabitants of towns were to be taxed more than the people in the country. This was now to be effected by a partial system of taxation. According to the present system if a person took a property from a landowner that was subject to a property tax, he then built a house upon it, and that was taxed; not merely to property tax on the rent paid to the landlord, and which might be deducted by the tenant, but to income tax, and also to 6*d.* in the pound on shops, and 9*d.* on dwelling-houses; and if he died, the personalty was also taxed. It was now proposed, without any good cause, to increase that taxation. Now, with respect to direct taxation, he was in favour of that so far as it could be carried out fairly, and he believed that a great deal of the revenue of the country ought to be collected that way; but at the same time they should remember this, that if they rendered it partial and unjust, they would render it odious and unpopular, and it would be put a stop to. Why should there be any difference between tenant-farmers and the tradesmen in towns? The former lived in the country, and at a cheaper rate; but otherwise their position was precisely similar, and the one should be exempted from no tax which the other was obliged to pay. Another exemption in favour of the tenant-farmer, which the right hon. Gentleman proposed to effect was, that he was liable to be taxed for only one-third his rent, and if he found that he had not made an amount of profit equal to one-third his rent, he was allowed to appeal. But the tradesman must undergo all the annoyance of the inquisitorial system, of the income-tax commissioner, and whether he made out one-third his rent or not, he had no appeal. The right hon. Gentleman the Secretary of State for the Home Department had alluded to what had taken place at a meeting of his (Sir B. Hall's) constituents, and to what he had said at that meeting. He did not say that he objected to a house tax in the shape of a property tax, but he said, "Why should they stop at 10*l.*? This is simply the reason, because if they go below 10*l.*, they must go into the agricultural districts, and thus eventually come to tax the landlords themselves. This, I think, is the reason why the Government proposed to stop at 10*l.*" But the Chancellor of the Exchequer, when he had made that proposition, had said, in speaking of the inhabitants of the metropolis, that he "was surprised that they objected to this tax." He said, that "the repeal of the window tax was not made on account of the pressure of taxation, or because it was an oppressive or vicious tax; but that it should be repealed on sanatory grounds." "That plea was admitted, and the tax repealed." He (Sir B. Hall) was surprised to hear this statement from the right hon. Gentleman, not only because it was wholly unfounded, but because the right hon. Gentleman ought to have known that it was so. If anybody knew it, the right hon. Gentleman should have known that the window tax was an unpopular tax in the metropolis, for he himself was one of the loudest declaimers against it, and he issued addresses in which he had said that it ought to be immediately repealed. That had been one of the right hon. Gentleman's earliest opinions with regard to political subjects; and the question of sanatory reform had not been considered with reference to the window tax till within the last few years. Above twenty years ago, when he (Sir B. Hall) had first the honour of a seat in that House, the question of the window tax was considered by the inhabitants of the metropolis as a vexatious impost, which they ought not to be called on to pay. But the right hon. Gentleman, in order to reconcile them to the imposition of a double house tax, had ordered a paper to be printed [*No. 54 of this Session, printed on the 6th instant*], in which a return is given of the number of houses assessed in house duty in 1852, showing the amount recived thereon, the amount of the window tax levied in 1851, and the difference caused by the substitution of a house tax for the window tax. If anything would make the inhabitants dissatisfied with the proposed house tax, it was an analysis of this return. Not an atom of benefit would be derived by the larger or even by the smaller towns, by the proposed change; and this, he (Sir B. Hall) would make much more manifest if he obtained the returns he would move for on Thursday next. The only town given in the return of the right hon. Gentleman, was the City of London. How would the alteration of the duties fall upon that portion of the metropolis? The house duty, according to the proposition of the right hon. Gentleman would yield 73,110*l.* The window tax yielded 61,300*l.* There would thus be an increase of 11,810*l.* But if they went farther, and compared the tax which was paid in 1851 with the tax which was proposed for 1853, and compared that to be paid by towns with that to be paid by counties, he would be able to show that the right hon. Gentleman's proposition was most unjust towards the inhabitants of towns, and was a completely partial mode of taxation. It had been impossible for him to get the returns for all towns; but he had been able to inform himself of the amount of taxes paid for windows, and to be paid for houses in the parishes of St. Pancras, Westminster, and Marylebone, and the following was a comparison of what they would have to pay for the house tax in 1853, with what they paid for the window tax in 1851. He (Sir B. Hall) would state these sums to the House, and thus he would show how the towns would be overtaxed, and how agricultural counties, which in 1851 paid almost precisely the same amount of window tax would be relieved:—

COMPARATIVE STATEMENT.

St. Pancras.

1851	Paid window tax	£51,218
1853	Will be charged house duty	53,432
	Being an increase of	2,214
	or about 5 per cent.	

St. Marylebone.

1851	Paid window tax	£66,596
1853	Will be charged house duty	67,584
	Being an increase of	988
	or about 1½ per cent.	

Westminster.

1851	Paid window tax	£118,472
1853	Will be charged house duty	134,476
	Being an increase of	16,004
	or 10 per cent	

Thus in these three great towns—

1851	Window tax was	£236,286
1853	House tax will be	255,492
	Being an increase of	19,206
	or about 8 per cent.	

Bedford, Bucks, Cambridge, Salop.

1851	Paid window tax	£51,993
1853	Will be charged house tax	22,142
	Being a decrease of	29,851
	or nearly 60 per cent.	

Lincoln, Norfolk, Dorset.

1851	Paid window tax	£66,286
1853	Will be charged house tax	30,996
	Being a decrease of	35,290
	or 45 per cent.	

Cumberland, Hereford, Hertford, Huntingdon, Northampton, Rutland, Suffolk, Westmoreland, Wilts.

1851	Paid window tax	£118,521
1853	Will be charged house duty	49,158
	Being a decrease of	69,363
	or 70 per cent.	

Whilst in sixteen agricultural counties, of equal assessment as regards the window tax—

1851	Window tax was	£236,800
1853	The house tax will be	102,296
	Being a decrease of	134,504
	or about 50 per cent, whilst the towns are increased 10 per cent.	

Yet hon. Gentlemen opposite complained when he and others said of this Budget, that it was setting town against country. What else was it doing? When these figures came before the country, the people would see how matters stood, and he would assure hon. Members opposite, that, even if they did carry their Resolution, they would never be able to carry into effect a law which should exact such a tax from householders in towns. He would instance one more parish—that of St. George, Hanover-square—in which many hon. Members resided. The window tax in 1851 was 47,350*l.* The house duty in 1853 would be 63,212*l.*, thus increasing the taxation in that parish by about 25 per cent. His hon. Friend who spoke last, the worthy Alderman (Mr. Ald. Thompson), said that the house tax was a landlord's, not a tenant's tax. He was sorry that that hon. Member was not in his place, or he would ask him, as he asked any hon. Member opposite who took the same view of the question just to take his (Sir B. Hall's) own case. He held a house of a very respectable body of men—of the Dean and Chapter of Westminster. Did the hon. Gentleman suppose that the Dean and Chapter would come to him when the house tax fell due, and say, "We will not allow you, a lay tenant of ours, to pay this tax?" The hon. Member might think they would, but for his own part, he knew very well that he would have to pay it. They took houses from noble Lords and ecclesiastical corporations, who owned the property on which they were built, and it was absurd to suppose that this would be a landlord's tax. The question arose—Why were they to pay this tax? Why should they allow from 40 to 70 per cent reduction of taxation to be made in counties, and pay 5, 10, or perhaps 25 per cent of taxation over and above that of 1851? Why should they let the tenant-farmer who rented a farm of 299*l.* per annum go free of income tax, whilst the tenant tradesman was to be taxed? The statement made by the Chancellor of the Exchequer was, that the farmer should be relieved because of the great competition to which he was exposed. Let him go to any of the thoroughfares of our towns, and ask if there was not great competition amongst tradesmen as well as amongst farmers. In this vast increase of taxation, the inhabitants of the towns were offered a reduction of one-half of the malt tax. It had already been shown, and especially by the hon. and learned Member for Kidderminster (Mr. Lowe), in a speech remarkable for the lucidity, the soundness, and the closeness of its argument, that this reduction would confer no benefit on any class of the community, excepting the maltsters and the brewers; that the whole staff of excise must be kept up; and that a vast deficiency of revenue would occur without any real benefit to the public at large. Hon. Gentlemen opposite quoted M'Culloch in favour of their views; but that economist was quoted on that side of the House against their arguments. For his own part, he had no great faith in quotations from political economists, for they were often made without reference to the context, and sentences were picked out to prove either side of a question. The best opinion on a matter of this sort was that of the person who sold the article. He could give them the opinion of Mr. Barclay upon the subject of the reduction of the malt tax. In his examination before the Committee of the House of Lords, he said that the malt duty restricted the demand for barley in a very small degrée, and then went on to show that the consumption had not increased with the increase of population, but had, on the contrary, decreased. In 1837, 5,000,000 quarters had been charged for duty; in 1834, only 4,600,000 had been charged, and he said that he considered that the reason of this was, that the people must have become much more sober. Taking off the whole of the malt duty, he thought, might make porter one halfpenny a pot cheaper; but it would be a great loss to the revenue, and that loss would not be made up by benefit to the consumer." This was the opinion of a person who was going to sell the article of which he spoke, of one who was not a theorist, who might be quoted by hon. Members on either side of the House. He spoke plainly and intelligibly. When the inhabitants of the great towns saw that the right hon. Gentleman proposed to put 100 per cent additional taxation on them over and above what was paid by other classess of the community, they would certainly expect of them that they should strive to obviate that injustice as much as lay in their power. The hon. Member for the county of Hertford, who was, by the way, somewhat severely treated to-night by the hon. Member for Middlesex (but not unjustly), had said the other evening that he considered that the reduction of half the malt tax would be of great assistance to the farmers, but that above all he considered this a poor man's question. Had they never heard of "the poor man's question" before? When the Corn Laws were under discussion, every Gentleman opposite cried aloud that the maintenance of these laws was a poor man's question. These laws were repealed; hon. Gentlemen opposite all became free-traders, and then they told the poor man that he was never better off than under the repeal of the corn laws. He no more believed that the reduction of the malt duty was a poor man's question, than that the continuation of the corn laws was a poor man's question. They wanted to keep up that cry merely to spare the pockets of landlords, and now they said the same to do the same thing. But the poor man knew that they led him astray before, and he would not believe them when they said that this, too, was a poor man's question. When the Budget was brought forward, he (Sir B. Hall) said that the right hon. Gentleman the Chancellor of the Exchequer might rely upon it, that his proposal was the commencement of a war between town and country. He said so now. And he would say farther, that if the inhabitants of great towns remained quiescent—if they remained passive under what was proposed to be done—and if they suffered this 100 per cent of taxation to be added to their burdens, he could only say that they deserved that the right hon. Gentleman should come down next year, if he should be in power, which he did not believe would be the case, and take off the malt duty altogether, and put another 100 per cent of taxation upon them. But there was too much intelligence in the towns to admit of this species of taxation, and he would again assure hon. Gentlemen opposite that even if they carried their Resolution to-night, they would never be able to carry it into effect.

Sir JOHN DUCKWORTH said, he wished to accept the invitation of the right hon. Gentleman the Chancellor of the Exchequer to consider the whole Budget as a financial scheme of taxation, and, in that view of it, he gave his cordial consent to the principles which appeared to him to be involved in the propositions of the right hon. Gentleman. The reductions proposed in favour of the shipping interest, with which he was connected through his constituents, were universally admitted to be reasonable and just. With regard to the question before them, he thought the course adopted by the Chancellor of the Exchequer was more proper than if he had made any attempt to reverse the commercial policy which had been adopted by the country. For he was now convinced that, under the altered circumstances of the country, the question of free trade had changed in its bearing; and, therefore, although a certain amount of pressure had fallen by the change on some classes, the evils that would arise from reversing that policy would exceed those which were now felt by any portion of the community. He also approved of the remission of the tea duties, because it would be attended with great good, and in the event, it was to be hoped, could not very much diminish the revenue. Although the reduction of the duty on malt would not afford any benefit to the agricultural interest in that part of the country with which he was connected, he thought he should be acting a selfish part if he refused to entertain a proposition which in so many parts of the country was deemed to be of considerable importance. He viewed the reduction of this duty with less cordiality, because he did not see that the producers, whatever of indirect gain and advantage might arise to them, would be directly benefited by it. Neither did he think it would be of any great advantage to the consumer; and if not to the consumer, then it cut both ways, for the producer could not hope to gain. He was of opinion that reductions in the duty of other articles would have been attended with greater advantage to the whole of the people. It was perfectly obvious, from the moment free trade was adopted by that House, that the deficiency created in the revenue by the remission of indirect taxation must be met in some way, and the only remaining mode was by direct taxation. He thought the right hon. Gentleman the Chancellor of the Exchequer was justified in imposing a reasonable equivalent of direct taxation for the indirect taxation remitted. When he had arrived at this point, however, he shrank from going the length of the Chancellor of the Exchequer. But he now felt himself greatly released from the difficulty under which he laboured, by the statement of the right hon. Gentleman the Chancellor of the Exchequer that evening. For although he desired to support the Government, yet, entertaining the views that he held, if the right hon. Gentleman were to impose a larger amount of direct taxation than was a fair equivalent to the reductions made in the other parts of the Budget, he should have been unable to give his consent to that increase of taxation. He felt, therefore, relieved from the consideration of the question as regarded the increase of taxation, and whether the doubling of the house tax was or was not more than a fair equivalent for what his constituents and the nation at large would derive from other portions of the Budget. The Chancellor of the Exchequer had said early in the evening that he placed this Resolution upon the paper with a view of testing the opinion of the Committee with regard to the question of increasing the area of direct taxation. He (Sir J. Duckworth) was glad to be able to give his support to that principle. But it was a still more important imperial question to consider that, in coming to vote upon this question, the Chancellor of the Exchequer had invited them to regard that vote as a vote of confidence in the Government, and not as a mere question of the details of the Budget. Though he (Sir J. Duckworth) confessed that he thought the class amongst which his constituents ranked would have been treated unjustly by so large an increase of taxation as that proposed, yet as he understood that that increase of taxation was not definitely affirmed by the Resolution now before the Committee, but that, on the contrary, it would be open to them hereafter to discuss the extent to which it should go; he was prepared to give his vote in favour of maintaining the Government in the position which they now occupied, and which, he believed, was the real question which he was called upon to decide. He did so in a confident belief that the result would be—that justice would be done to all classes of the community—to those whom he had the honour to represent, no less than to those whom other hon. Members represented. On these grounds he would be prepared to give his vote in favour of the Resolution.

MR. HUME said, that he was anxious to offer some observations to the Committee on two specific grounds: first, because had it not been for his Motion limiting the duration of the Income tax to one year, they should not have had the present discussion; and, secondly, because he had given notice of his intention to submit certain Resolutions with regard to that tax. Before proceeding to speak of the Budget, he would beg to submit to the right hon. Chancellor of the Exchequer whether, in consequence of what had fallen from him at an earlier period of the evening, the question before them was not entirely altered, and whether it would not be better to withdraw the Resolution and modify it in such a manner that they might be able to come to a clear understanding on the subject, and know what was the point on which they were to divide. He had on a former occasion proposed to increase the area of the house tax to 10*l.* houses, and upon that point there was no difference of opinion between himself and the right hon. Gentleman. Why, then, did he oppose this Resolution? Because it increased the amount of the tax besides extending the area; and as there was a surplus revenue he did not think that any cause had been made out for an increase of taxation. He hoped that, before a division, the right hon. Gentleman would give some explanation as to what the principle of the Resolution really was; for at present it would puzzle any man, in or out of the House, to know what was the subject of debate, and what they wanted to arrive at. If the point involved in the Resolution was merely the question of the extent of the area of direct taxation, he was perfectly ready to give the Chancellor of the Exchequer his vote, and he saw no reason why the Committee might not be unanimous. With regard to the Budget as a whole, he thought that the right hon. Gentleman had taken a bold though not very judicious course. The declaration of the right hon. Gentleman, that his Budget was to be a free-trade Budget, and was to put at rest for ever the disputes of parties, appeared to him (Mr. Hume) of great importance, if they could only secure its realisation. There were some right and some wrong proposals in the Budget, which he would proceed to point out; but he must say, first of all, that he thought that the Chancellor of the Exchequer had dealt fairly with the shipping, colonial, and agricultural interests. He desired to give the right hon. Gentleman full credit for the manner in which he had disposed of those interests. If there was one branch of reform which this country was bound to look to more than another, it was that relating to the shipping interest. Ever since a Committee had sat upon the subject in 1823, he (Mr. Hume) had not ceased to point out the injustice done to our mercantile marine; and if the right hon. Gentleman would carry out the reforms he had proposed, he would be acting in a manner creditable to himself and advantageous to the country. There was not a shipowner in the country who did not consider what were called "passing tolls" as a species of robbery; and he (Mr. Hume) cordially approved of the proposal to abolish them. With regard to pilotage and ballasting, the right hon. Gentleman would find no difficulty; they depended altogether on the Trinity House, which would not stand in the way of reform. He besought the Government to settle speedily the question of enlistment at sea; great hardship and injustice resulted from the present regulations on that subject, and he could even mention cases in which ships had been lost owing to this cause. He was satisfied that the manning clause was one of the most mischievous enactments in existence, and the efforts which seamen were now making against it deserved immediate attention. With regard to the question of salvage, perhaps the Committee were not aware that both the French and the American Governments had ordered that no ship belonging to the navies of those two countries should ever call for one single shilling for assistance rendered to merchant ships; and the captains in those services were directed to afford assistance, not only to their own mercantile marine, but to that of other nations. He thanked the right hon. Gentleman for the alteration he had effected here. We had at the present time no fewer than 4,400,000 tons of shipping, and no want of seamen could possibly arise so long as there was no other country in the world which had so many ships as we had. He, for one, should never be satisfied until British ships were free from lighthouse and all other dues; and when they could enter and leave all harbours freely, the number of ships in our mercantile marine would be greatly increased. There was no reason, in his humble opinion, why a mercantile ship should have to pay light-dues which were not paid by the ships of Her Majesty's Navy; and by removing this charge, the Legislature would enable shipowners to lower their freights, and thus to enter into competition with the whole world. The right hon. Gentleman had also done well in conferring a boon upon the sugar colonies, and it now only remained for him to devise means for increasing the amount of labour in those colonies. Our colonial possessions had suffered much by our legislation, and they now deserved to be considered in the most favourable light; money, indeed, could not be lent to them, but there were many arrangements by which they might be benefited, especially by allowing them the free management of their own affairs. The colonies had hitherto hung to us like leeches, drawing our money from us, but it was absolutely necessary to let them drop off from us one by one, and assume the management of their own concerns. The arrangement with regard to refining sugar in bond would be beneficial to the colonies, and would be no loss to this country. He only wished the right hon. Gentleman would contrive some means for conveying labour to the colonies; otherwise they would never be able to pay the interest upon their loans. Having been ruined by imperial legislation, they ought to be considered. With regard to the general policy of the Chancellor of the Exchequer, he (Mr. Hume) could not say that the right hon. Gentleman had done what he ought to have done. The hon. Member for Cambridgeshire (Mr. Ball) said that free trade ought to be carried out. Yet 233 manufactured articles still bore protective duties, and about 42 articles connected with agriculture. Why did not the Chancellor of the Exchequer abolish these protective duties? He need not then have added to the taxation of the country at all. The abolition of half the malt tax was not enough. It ought to be abolished altogether. The public might then get rid of the monopoly of the brewer, if the licensing system were also abolished. He should be prepared to show at some other time that socially, morally, and physically it was necessary to bring back the people from the use of ardent spirits, to which they had been driven by the high price of malt. These 233 articles only produced 434,000*l.* The duty on cheese only brought 85,000*l.* to the revenue, and that upon butter 158,000*l.* If the Chancellor of the Exchequer had cleared off all these duties it would have been a great honour to him, and would have been received with acclamations by the country. With regard to the income tax, in proposing to draw a distinction between incomes from trades and professions, and incomes from realised property, he thought the right hon. Gentleman was taking certainly a bold step, because it was opposed by both of the two previous Chancellors of the Exchequer, but yet a step highly consistent with all the evidence adduced before the Committee on the Income Tax, and one in which the feeling and the good sense of the whole community would go along with him. The country was in favour of direct taxation, and only wished to see it divested of its injustice and its partiality. Unless all were made to pay according to their ability, the system amounted to confiscation as regarded those who were selected to bear the burden. The ability of every person should be determined by the property which he had, that property to be estimated at its market value, and then there would be no difficulty in apportioning the incidence. Let there be an entirely separate schedule for incomes from trades and professions; and he, for one, could not see why the clergyman should be assessed on a higher scale than the members of any other profession. This would bring the income and property tax to a state of at once the greatest fairness and the greatest simplicity. He thought that the Chancellor of the Exchequer ought to have dealt with the assessed taxes, which were a great burden upon the industry of the country; for there could be no greater mistake than to suppose that a tax on carriages and servants only affected the rich. The revenue of the country for the year ending April 5, 1852, amounted to 52,468,000*l.*; and looking at the different heads into which it was divided, it would be found that 39½ per cent of the whole revenue was derived from the Customs, and another 27½ per cent from the Excise; making 67 per cent of the entire revenue of the country derivable from the two heads of Customs and Excise alone; and it must be borne in mind that the greater portion of that 67 per cent was raised from the industrious classes. In addition to this, 3,500,000*l.* of the income tax was raised from trades and professions, showing that these classes were unfairly taxed as compared with the propertied classes. Why, the property of the country, looking at its entire amount, now contributed but a small modicum of the revenue of the country. The land in 1814 and 1815 bore 64 per cent of the whole property tax that was then raised; but in 1848 its proportion was reduced to as low as 34 per cent. This arose in a great measure from the extensive introduction of railways, canals, factories, &c., which had altered the proportion that the land bore to the rest of the property of the country. Well, he maintained that by a direct tax properly assessed on the whole of the realised property of the country, they might easily raise a sum of 8,000,000*l.* to the revenue; and he believed that a tax of less than five per cent on the whole property of the country would raise an amount that would be sufficient to enable them to dispense altogether with the assessed and the excise taxes. With regard to the exemption of incomes from property under 50*l.* a year, he (Mr. Hume) considered there ought to be no exemptions at all; the tax ought to be levied upon the lowest amount of income derived from property; because all the evidence taken before the Committee showed that the existing 150*l.* limitation had been the cause of the greatest frauds upon the revenue; and all the authorities said that if the tax was to be continued it ought to be imposed on all without any exemptions. In assessing property to the tax, he certainly thought a deduction ought to be made for repairs, in order that the capital—the subject of taxation—should be left intact; and with regard to houses, it would not be fair to tax them on the same scale as other descriptions of property, because house property was only worth seventeen or eighteen years' purchase. He hoped that the Chancellor of the Exchequer would look further into the subject of the income tax, and be induced to go further than he now intended to do in the same direction. If he did so, he (Mr. Hume) should be glad to give him every assistance in carrying out his measures. He now came to the house tax; and that he must say he considered to be one of the worst taxes that could be levied. If anything had been a greater reflection than another upon the rich and wealthy classes of this country, it was the numbers of wretched hovels that were to be seen in close proximity to our stately mansions. This evil, however, had been in the course of gradual extinction. In Liverpool alone 27,000 cellars had been given up, as wholly unfit for human habitation. The taxes on bricks, timber, and glass had been reduced, and model cottages and lodging-houses established to improve the dwellings of the working classes; but the effect of this house tax must be to check these improvements. He held that the house tax, as at present levied, was most unequal and unjust, because it was assessed according to the amount of the rental, and it was well known that rent absorbed a greater proportion of the income of people of small means than of the income of the rich; and the consequence was, that the payers of the tax were not charged according to their ability to contribute; and the result of the proposal to extend and double the house tax would be that the occupier of a house at 20*l.* rent would have to pay 1½ per cent on his income, estimating his income at 100*l.* a year; the occupier of a house at a rent of 100*l.* would have to pay ¾ per cent on an income of 1,000*l.* a year; and the man worth 10,000*l.* a year, and renting a house at 1,000*l.*, would only have to pay ⅝ per cent on his income. That, he thought, was a most unequal and unjust mode of assessment, placing the heaviest burden on the shoulders that were least able to bear it, and relieving the millionaire from contributing according to the extent of his ability, as he should be required to do. He (Mr. Hume) would prefer that they should abolish the house tax altogether, and add 1 per cent to the property tax instead. Looking at the altered position of the country, and the fact that the manufactures of the country now paid 30 per cent more than the land paid between thirty and forty years ago, England must now depend no longer, as it had hitherto done, upon the land for its support, but must depend upon its manufactures and its commerce; and to render these manufactures and that commerce as profitable as possible, and to enable them successfully to meet the competition of the United States of America and their other rivals, we ought to relieve them from the burden of indirect taxation, and to revert to a more complete system of equitably-adjusted direct taxation. He believed that we might raise one-fourth, and even one-third, of the entire revenue of the country from a tax upon property; and he wished to convince the landed proprietors that the value of their land was owing to the manufactures and commerce of the country. In conclusion, he would only add that he should vote against any increase to the taxation of the country, and also against the proposed appropriation of the 400,000*l.* from the Loan Commission Fund, which he considered a robbery.

SIR EDWARD DERING said, that being the representative of a large and important agricultural constituency, he was unwilling to give a silent vote on the question before the House. He was not about to canvas the abstract merits of direct and indirect taxation, but would confine himself to the consideration of the effect of the measures proposed in the Budget upon the various interests of the country. He believed the first portion of the Chancellor of the Exchequer's financial statement relating to the relief of the shipping and the West Indian interests, as well as that relating to the reduction of the tea duty, had been received with general satisfaction throughout the country; and, for himself, he fully participated in the general feeling. But there was another question of infinitely greater importance, on which the country had expressed a no less unequivocal opinion, but to which grave objections had been raised in that House; he meant the proposed modification of the income tax, and the distinction which the right hon. Gentleman intended to draw between permanent and precarious incomes. Popular opinion, in this instance, was on the side of the right hon. Gentleman, and he thought it would not be difficult to show that the proposition had the sanction and authority of those recorded opinions which were worthy the attentive consideration of the Committee. When the income tax was first proposed, there had been no disposition on the part of hon. Gentlemen opposite to listen to modifications of it, nor had they scrupled to pronounce a system which raised the same amount from precarious incomes and from real property as unequal, unjust, and unwise. The first authority that he would quote was the noble Lord the Member for London (Lord John Russell), who had told them the reason why Mr. Pitt made no distinction between realised and precarious incomes. In 1842 the noble Lord said—

> "He thought Mr. Pitt was perfectly justified in making no such distinction, because at the same time the nation was engaged in a struggle for its very existence. There were many to whom, under the circumstances, he acknowledged that the tax ought not to apply; but as the nation was then engaged in a most arduous and perilous struggle, he said that wherever he found income he took the tax."—[3 *Hansard*, lxi. 900.]

He found that in 1848 the noble Lord still entertained the same opinion. In one of the debates which took place during that Session, the noble Lord said—

> "They had the means of modifying the income tax, so as to make it press with less injustice and severity on those whose precarious incomes brought them within its scope."

Another very high authority in that House, the right hon. Member for Coventry (Mr. Ellice), asked—

> "If it was desirable to impose a tax on property, why not attempt to arrive at some equitable and reasonable mode of assessing it? He was opposed to the inequality and injustice of the present system of assessment."

Another right hon. Gentleman, who possessed great weight in that House, the right hon. Member for Portsmouth (Sir F. T. Baring), asked—

> "Was it a just or equal tax? Was it fair that those who were in occupation of property should pay in the same proportion as those who obtained their annual incomes by their own exertions? His own opinion was that no tax could be devised which would operate more unequally, more unjustly, and more oppressively."

He could only add that he cordially participated in the views contained in the extracts he had quoted. He should certainly vote for the proposed modification of the income tax, not only because he believed it was in accordance with the general feeling of the people of England, but also because he believed it was founded on principles of equity and justice. He next came to the consideration of two other important taxes, which had been much dwelt on in the course of this debate—he meant the malt tax and the house tax. He regretted that in the discussion of these two taxes attempts had been made by some hon. Members opposite to raise up an agitation of the towns against the country, setting the interests of one part of the community in opposition to those of the other. The hon. Member for Middlesex (Mr. B. Osborne) had not scrupled to assert that the only object for which the repeal of the malt tax was proposed was to afford compensation to the agricultural interest. He had even gone further, and said, if he heard him right, that the proposed extension of the house tax might almost be considered as an act of revenge against the 10*l.* electors. Now, he (Sir E. Dering) had no hesitation in saying that he thought the utterance of such extreme opinions was very much to be deprecated, because they were at variance with that spirit of moderation and mutual forbearance with which those great questions ought to be discussed, if it was their wish to bring them to a satisfactory conclusion. With the leave of the House he would now inquire whether the malt tax was to be considered in the light of compensation to the agricultural interests, and whether the house tax should be deemed an act of revenge? If the remission of one-half the duty on malt had been offered to the agriculturists as a compensation for those burdens to which they had been unduly subjected, he said he was perfectly certain, speaking on behalf of the agriculturists, that they would have repudiated any such offer as that as totally unworthy of their serious consideration. He would go a step further, and say that, except in special cases, he thought the repeal of half the malt tax would be of very little benefit to the farmer. The barley grower might very likely derive some advantage from it; but as regarded the wheat lands, he thought very little or no benefit would be derived, at least compared with the enormous amount of revenue that would be sacrificed by it. It appeared to him there was only one general advantage which could be gained by the repeal of one-half the malt tax, as stated last night by the hon. Gentleman the Member for Cambridgeshire (Mr. E. Ball), and that it was by inserting the wedge they might hope to obtain at a subsequent period that which would be the enormous boon to both producer and consumer, the total and entire repeal of that obnoxious impost. There was another ground on which he thought some possible benefit might arise. If the calculations of the Chancellor of the Exchequer were right, in concluding that a great increase would take place in the consumption of malt from the remission of the duty, then he thought some incidental advantage might possibly be derived by the hop-growers from an increased demand for hops. On these grounds, the one general the other special, and looking to the prospective advantage to be expected, rather than to the partial and immediate benefit, he should certainly give his support to the proposal for the reduction of the malt tax. With respect to the proposed remission of half the duty on hops, he could hardly believe there was any serious intention on the part of the right hon. Gentleman to continue an army of excisemen merely for the purpose of levying the insignificant amount of 150,000*l.* This was so contrary to every sound financial principle that he hoped very sincerely the right hon. Gentleman on more mature reflection would not fail to adopt the conclusion which must suggest itself to every one's mind, that if any alteration was to be made, there was but one reasonable mode of dealing with this duty—that of getting rid of it altogether. He now came to the consideration of that most unpopular impost, which had created so much division of opinion in the House, the house tax. He was much struck the other night with the observations made by the right hon. Baronet the late Chancellor of the Exchequer, which appeared to him to tell in favour of the Ministerial plan. The right hon. Baronet pointed out that by it the House was about to deal with classes who up to that moment had been nearly exempt from taxation. [Sir CHARLES WOOD: Exempt from direct taxation.] Well, the question occurred to him, as it must to every other Gentleman in that House, why should that class which had benefited to the full as much as any other in this country by late legislative measures, be exempted; why should it be the only class in this country exempted from paying its fair share of taxation. It was a very numerous class: they heard the other night that the 10*l.* householders amounted to no less a number than 350,000, and it was known that they exercised a very powerful influence over the deliberations of that House; therefore he saw no reason in justice why they should be placed on a different footing from all other classes of the community. Recollect that out of 3,500,000 inhabited houses in this country, 3,100,000 were totally exempt from the tax; they had the authority of the late Chancellor of the Exchequer, when proposing his house tax, that the whole inhabited house duty was paid by 400,000 houses only. Well then, all he could say was, that he was surprised that such a state of things should exist—it was quite time that such an anomaly should be done away with. He admitted there was an appearance of hardship in imposing in one and the same year two direct taxes on persons who up to this moment had not been subject to this species of taxation. That might be a good plea for modifying the tax, and in all probability some graduated scale might be proposed for the consideration of the Committee. Reserving to himself the power of voting such a plan, he thought a very great principle was involved in extending the area of the tax, and he should record his vote with great satisfaction in favour of the Resolution. Another point on which he wished to say a word regarded that portion of the right hon. Gentleman's financial scheme which related to Ireland. The right hon. Gentleman the Secretary of State for the Home Department argued, by the Act 5 & 6 *Vict.*, the Irish and English fundholder were placed precisely on the same footing; and that it was by a subsequent section—the 88th—that residents in Ireland were exempted from payment of the income tax, thus furnishing an inducement to persons of moderate means to reside there. By the adoption of this argument the right hon. Gentleman had taken up a position perfectly untenable. Let him ask, what was the present state of Ireland? Were hon. Gentlemen prepared or not to admit that at the present moment distress existed in Ireland? If distress did exist, he asked whether it was "wise, just, or beneficial" to take away from the small fundholder in Ireland the only inducement he had to live and spend his money in that country? If there was no distress existing in Ireland, then he asked upon what principle of justice could they contend that it was right to exempt the land of Ireland, and place it on an entirely different footing from the land of England? He hoped the Chancellor of the Exchequer, if he were aware that he had not sufficiently considered that portion of his financial scheme, would either entirely withdraw it, or substitute some alteration more in accordance with the maintenance of the public credit, and not less conducive to the welfare and prosperity of the people of Ireland. He had now briefly touched upon every point in the Budget on which he had felt it important to give his opinion, and he hoped he had done so without offence to those who differed from him. Reserving to himself, then, full power to deal with any amendments or modifications that might be proposed, he should certainly give his vote in favour of the general principle of the Budget.

Sir JAMES GRAHAM: In proceeding to address you, Sir, I shall endeavour to follow the example of the hon. Baronet the Member for Kent (Sir Edward Dering), both as to the tone and manner in which he addressed you. I am extremely obliged to you, Sir, for calling upon me. I never am able to address this House with that perspicuity and self-possession which I desire, yet, having attended most assiduously to this protracted discussion, I am bound to say that the more I have listened to it the more I have become bewildered with the confusion which has attended the debate. I listened to my hon. Friend the Member for Montrose with great attention, and, I am sorry to avow, I cannot understand the view which he is disposed to take on this occasion. He says he is a great friend to direct taxation; and yet he says that he altogether objects to the house tax; and, again, objecting to the house tax, he says that he is very willing to diminish the exemptions from the tax, and to bring the limit down from 20*l.* to 10*l.* Again, my hon. Friend says that he has the greatest possible regard for public credit, and the most earnest desire to maintain the revenue of this country in a prosperous and flourishing condition; and yet he is willing to sweep away the whole of the duties of Customs and Excise; and he will also vote for the repeal of the malt tax. I understand him to say that he is willing to support the total repeal of the malt tax, the total repeal of the assessed taxes, and that his moderate views of direct taxation would lead him to impose only an additional duty of one per cent on property and income, which he thinks would be amply sufficient to cover all the deficiency in the public service. Now it is always difficult enough to discuss a Budget, especially one so large and ample as that which the Chancellor of of the Exchequer has brought before us; but to add to the difficulty my hon. Friend the Member for Montrose has a rival project—he has proposed another Budget—and, with all the difficulties of the subject proposed to us by the Government in the consideration of the income tax and its principle and details, my hon. Friend has another scheme for capitalising income, and dealing with the income tax on a principle entirely different from that of the Government. But again, I thought at first that we were to discuss the whole of the Budget; then again, it was suggested by some hon. Gentleman that certain parts of it were peculiarly brought under our consideration to-night; whilst, among all these fluctuating views, never was it so important that we should understand distinctly the issue we have to try. From the very commencement of the discussion I distinctly understood that the issue which we were called upon to try was, approbation or disapprobation of the entire measure proposed by the Government; but in consequence of the question put by the hon. and gallant Member for Westminster in the early part of this evening, it appeared to me that the Chancellor of the Exchequer, in his answer to that question, was inclined more or less to change the issue. The question before, as I distinctly understood, was this—are we, or are we not, for the purpose of the present Budget, considering the whole of the change involved, in the proposal of the new house tax—that change, as proposed by the Government, embracing both the doubling of the amount and the reducing of the exemption from 20*l.* to 10*l.*? I thought that was the issue we were to try. Well, Sir, from the answer to the question put by the hon. and gallant Officer the Member for Westminster, it appeared to me—unless I misunderstood the Chancellor of the Exchequer—that the right hon. Gentleman wished to convey that it was no longer of importance whether we agree with the Government in respect to doubling the amount of the house tax or not, and that it was only asked of us to say aye or no to the question of extending the area of taxation in respect to this tax. Before proceeding further, I should like to know whether I am correct in saying that we are only asked, by the Resolution we are now discussing, to consent to the extension of the area from 20*l.* to 10*l.*, and that we are not discussing the question of doubling the amount? Before I proceed further, this is the question I wish to ask the Chancellor of the Exchequer—are we discussing the narrow point of the extension, or does the question involve that of the duplication of the tax?

The CHANCELLOR OF THE EXCHEQUER: The case stands thus—the hon. and gallant Member, without any communication with me in the House, made a complaint—which had been made before—that sufficient notice had not been given to the country of the measures of Government, and that sufficient time was not given to the House to consider them. Various representations were made to me from Gentlemen sitting opposite, as well as some from friends of our own, to the same effect. The hon. and gallant Member stated that in consequence of the Government not having given sufficient time, also of its being supposed that an intention was entertained on our side to close the debate prematurely, his view was that it would be a proper thing to adjourn the debate. When these representations were made to me, I certainly did say I thought the House should take into consideration the position in which the Government was placed—seeing that we were forced to bring forward our measures at a period of the year most inconvenient—at the same time, that there was not the slightest wish on our part not to give the country the amplest opportunity of considering the measures, nor any wish to restrict the debate upon them, whilst still we thought that, under all the circumstances, it was important that the House should as speedily as possible come to a decision upon them. I said privately, as I said publicly to-night, in answer to the hon. and gallant Member for Westminster, that, as far as I was concerned, I had no objection to narrow as much as possible the issue, and to allow the vote to be taken, provided we could so agree, on the Resolution before us. The right hon. Member for Carlisle says we are seeking to change the issue: but if he will look to the terms of the Resolution, he will see that it contains nothing with respect to any change in the amount of rating of the houses, but it does contain a most important principle—namely, with respect to the area over which the tax should be extended. This is the most important vote which could be placed in the first instance on the table of the House, and upon that vote we are about to come to a decision. That is my statement to the right hon. Gentleman.

SIR JAMES GRAHAM: As I understand what has just fallen from the Chancellor of the Exchequer, it is his wish that we should not to-night discuss the whole of the Budget, but that we should discuss the narrow question of whether the area of taxation under the house tax shall be extended or not. Now, Sir, up to the present moment I, in common I believe with the whole House, understood that we were debating the whole question; nay, more, that we had been challenged to discuss the whole question.

The CHANCELLOR OF THE EXCHEQUER: Well, then, continue the debate on the whole Budget.

SIR JAMES GRAHAM: Yes, yes; but I am not talking about the continuance of the debate, but about the issue of the debate. I challenge the Government to that issue. Her Majesty's Government have said distinctly that they would stand or fall by the judgment of the House as to their Budget on the principle embodied in this Resolution. But if the House will bear with me, I think I shall show them it is impossible to narrow the issue to the question of the area of taxation only, inasmuch as, looking to the Budget of the Government, if they are not prepared to encounter an absolute deficit, at the end of the second year, they cannot be content merely with an alteration of the house tax. I want to deal with that point in the first instance. If I mistake not, the house tax as now levied yields 700,000*l.* a year. The effect of adding to the area by bringing the exemption down from 20*l.* to 10*l.* would only be to levy an addition of 150,000*l.* a year. Therefore, without doubling the house tax, the effect of increasing the area would only be to bring into the Exchequer an additional sum of 150,000*l.* But the right hon. Gentleman, in stating his balance for the year 1853–54, and looking also for the year 1854–55, took credit for 1,700,000*l.* as the produce of the house tax. In the first year, with the addition of the Exchequer Loan Fund, as to which I shall say something by-and-by, that yielding him 400,000*l.*, he will have only a balance of 400,000*l.* In the first year only half the increased house tax will fall to be collected, and the other half, amounting to 350,000*l.*, will not be received, thus leaving him in the first year with a balance in his favour of 50,000*l.* In the second year he will have only the additional sum arising from the house tax, without augmentation from any other source, and he will be left with a deficiency, on his own showing, of 450,000*l.* Under these circumstances, I want to know whether it is possible for Her Majesty's Government, with any regard whatever to the credit of the country, the safety of the revenue, and the necessary provision for the public service, if they remit one-half the malt tax and the hop duty—without adverting to other particulars—is it not absolutely necessary that they should contend for the augmentation of the house tax in the manner I have stated? I shall take the liberty, then, of considering the Budget as originally proposed by the Government, and deal with it, under this Resolution, in the manner I understood to be meant at the commencement of the debate.

Sir, although we have sat for some time during the present Session, and in direct legislation there is not much to show as the result of our sittings, yet I must say I think our time has not been thrown away. We have made great progress—we have settled matters that have been long disputed, and concerning which there was a necessity to come to a definite decision. In the first place, we have, by a large majority, agreed that unrestricted competition, as the Government says—or free trade, as the hon. Member for the West Riding has justly termed it by the shorter and more appropriate designation, in pure Saxon phrase—shall henceforth be the rule of our commercial and financial legislation. It has also been decided by a very large majority, that the taxes henceforth shall not be imposed for the purpose of favouring any particular interest, but shall be levied only for the exigencies of the revenue—or, more shortly speaking, protection is by common consent abandoned. Again, we have agreed that cheapness and abundance of food are the mainstays of the prosperity of the great body of the people of this country; and further, it is our opinion, unequivocally expressed, that this is the result of recent legislation, and that this free-trade policy, firmly maintained and prudently extended, will best enable the industry of this country to bear its burdens, and is the policy most conducive to the permanent welfare, contentment, and happiness, of the country. This, Sir, puts an end to a great controversy. This is really the harvest of the seed sown during the last six years—for it is a great matter that, by common consent, or by all but common consent—that of an overwhelming majority in this House—those great principles are now distinctly recognised. Sir, I am bound to say that I think the right hon. Gentleman the Chancellor of the Exchequer, in opening his Budget, dealt with a very important part of it in a manner perfectly satisfactory; for, before he proposed his financial scheme for the future, he considered what was due in equity and justice to classes whose interests, as it was alleged, had been prejudiced by the course of recent legislation. He alluded to those three great branches, the commerce and navigation of the country, the sugar-growing colonies, and the landed interest; and he said it was most desirable that all regard to classes should henceforth cease in reference to the question of taxation—that what was equitable as concerning the past should now be done once and for all, and that henceforth the good of the entire community should be the sole rule in imposing taxes to be paid by the people of this country. With respect, first, to the shipping interest, I entirely concur in the observations which have been made by my hon. Friend the Member for Montrose. I think that the arrangement proposed by Government for setting apart an amount of 100,000*l.* for the relief of that interest from peculiar burdens falling upon them to which they have been exposed, is one that is perfectly justifiable, and meets my entire approbation. Let me say that in justice to the members of the Trinity House, of which I am myself one, it is right it should be remembered that since the year 1842, that corporation, by awards of juries or by arbitrations, have had to pay no less a sum than 1,200,000*l.* for the purchase of lights which had been granted by Crown charters to private individuals; and yet that they have so managed their funds that in the last ten years they have reduced their debt from 1,100,000*l.* to the sum of 112,000*l.*; and that under the guidance of my right hon. Friend the late President of the Board of Trade (Mr. Labouchere), since the year 1849 they have reduced the charge for lights by a sum of 115,000*l.* a year, and that also within that period they have diminished their debt by the sum of 117,000*l.* It cannot, therefore, be said that their management in these respects has been improvident. The proposals of the Government with respect to pilotage and light-dues appear to me conducive to a beneficial arrangement of these points, and worthy the sanction of the House; and I may say the same as respects their proposal with regard to the cessation of passing tolls on shipping, which I think is a burden which should not be thrown on the shipping interest. With respect to pilotage, I should have thought that the right hon. Gentleman the President of the Board of Trade (Mr. Henley), having this subject distinctly before him, might, on the part of the Government, have very safely introduced a measure without previous inquiry. My own belief is, that the exclusive rights of the pilots of the Cinque Ports and of the Bristol Channel cannot be maintained, and that Government would have judged rightly if it had introduced a Bill abolishing their exclusive privileges, and that the question might have been so dealt with. I approve also the proposition of the Government with respect to other particular grievances—such as salvage, anchorage, and certain claims of Her Majesty's ships, and I do not anticipate any difference of opinion as to this part of the subject. And now with respect to the sugar colonies, I must also rejoice at the marked progress which has attended our deliberations on this head. Towards the close of the last Parliament the right hon. Baronet the Secretary for the Colonies (Sir J. Pakington) expressed an earnest desire of dealing with the descending scale, for the purpose of arresting the diminution of the duties, and he said that nothing but the apprehension that the Government would be put in a minority in this House prevented him from making that proposition. Now, any such wish is distinctly renounced—fully and fairly renounced—and I rejoice at the change of opinions thus acknowledged on the part of Ministers. I recollect when it was predicted that the discriminating duty proposed in 1848 would be the knell of free trade, and it was predicted that through the medium of that duty free trade would be defeated, and protection would ultimately triumph. These predictions are now falsified, the arrest of the descending scale is abandoned, and that, too, with the consent of Her Majesty's Government. Now I, for one, am extremely glad that the West Indian interest is to give a receipt in full of all demands upon permission being granted for refining in bond. But I wish that the House, before this debate is closed, may hear some answer given to the speech of my right hon. Friend the Member for Cambridge University (Mr. Goulburn), as bearing on the financial effect of the Ministerial propositions. If this permission is to be optional, I understand it is estimated that the importers of half of all the sugar brought into this country, including all the inferior qualities, will avail themselves of the privilege; and I understand, also, that if they do so avail themselves of the privilege, 10 per cent will be lost to the revenue by that permission. One-half of the whole sugar duties amounts to 2,000,000*l.* and 10 per cent on that is no less than 200,000*l.*; and yet in the balance of the year the Chancellor of the Exchequer has not dealt with the question of any loss of revenue consequent on the permission to be given to the West Indian interest as to refining in bond; and therefore apart from the question of doubling the house tax, and the credit he has taken for the product of the malt tax when one-half of it has been remitted, his balance is already verging on a deficit; and if you admit that the sum of 200,000*l.* will be lost by giving the option of refining in bond, that narrow surplus will be converted into an actual deficit. According to the statement so impressively made by my right hon. Friend the Member for Cambridge University—a statement recommended to us by all the weight belonging to his large experience, his spotless character, and his great abilities as a financier—that warning, given as it was with all the earnestness to be expected from one remarkable for his honest attachment to the public service, tells with tenfold effect; and I say that it does become the Government, before the close of the debate, to satisfy us as to the effect of this apparent deficit instead of balance. I pass on rapidly to another subject; and again I say we have made immense strides in this short time for which the new Parliament has been sitting. I have heard all the arguments about local burdens on land discarded by those who had most insisted on them as absolutely convincing. No longer is any stress laid on them. Even with respect to the assessment for the county rate, and the vexed question of its removal to the Consolidated Fund, the Chancellor of the Exchequer said it would only be a relief of 1½*d.* in the pound on rent, and that this was a matter so insignificant that he should hesitate about offering it for their acceptance. I very

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much doubt, let me say in passing, whether the repeal of the malt tax will amount to a relief of 1½*d*. in the pound on rent. With regard to another point, still more important in my view, an admission of immense value has been made. It is now distinctly stated by the Government, who have hitherto been advocates for the transfer of local burdens to the Consolidated Fund, on account of the injury done to the land by the repeal of the Corn Laws, that the best security for the prosperity of the landed interest is to be found in the welfare of the working classes and in their prosperity; that the landed interest no longer seeks any benefit at the expense of the community, but is satisfied with the admission of that great truth, that their prosperity is based on the welfare, the happiness, and the contentment of the working classes. How is that illustrated? It is illustrated by that which was often predicted—and even in adverse circumstances it was a prediction from which I never receded in despondency, that if you would make provisions cheap—if you would give abundance to the great body of the consumers of this country, the weight of your poor-rate, which mainly falls upon real property, would rapidly diminish. And what, Sir, was the statement of the Chancellor of the Exchequer? I heard it with infinite pleasure. He said, that, in the last three years—from 1849 to 1852—the burden of the poor-rate had diminished 25 per cent; that considering the sum upon which the reduction had occurred from 6,180,000*l*. to 4,800,000*l*., it was a relief of 25 per cent to the landed interest; and in his opinion that relief satisfied the claim of the landed interest, with reference to any equitable demand that they might put in for compensation for the injury which they had sustained either by the repeal of the corn laws or by the remission of the duty on the importation of cattle and sheep. So that now we have closed accounts retrospectively with all those three great classes—we have made payment in full to the shipping, to the sugar grower and to the landed proprietor. ["Oh, oh!"] I am not now stating my own views, but the deliberate statement of the Chancellor of the Exchequer, made, as I think, with great ability, with great fairness, and with great perspicuity. And I think it is right, before we discuss the Budget, to mark those points, and while there is much left on which we differ, to show how much has been achieved on which we are all agreed.

Well, Sir, I will now pass on to the prospective view which is taken by the Chancellor of the Exchequer; and I must say that I cannot help thinking that there is a very great advantage in the production of this Budget by the responsible advisers of the Crown. After all that has occurred, it was to me a matter of great anxiety to see the precise plan which Her Majesty's Government would introduce—a plan which had been announced as a system for the revision of the taxation of this country, which was to produce immense effects, and to give general satisfaction and contentment, and equal relief to all classes of Her Majesty's subjects. Now, I am delighted to see this great measure at last brought before the House in a tangible shape, and in a manner which precludes the possibility of any evasion on the one hand, or any exaggeration on the other. It was observed, by some one the other night, that one Government was very much like another, so I must say I think that all Budgets, whoever may be their progenitors, have a very great family resemblance the one to the other; and I cannot see anything in this Budget which is very remarkable, or which much distinguishes it from other propositions of the like nature. Strip it of the repeal of half the malt tax, strip it of the repeal of half the hop duty, and of this question of the house tax—about which there is to-night a disposition rather to vary the question whether it is to be doubled or not—and it would appear to me a very common-place Budget, a very acceptable Budget, and one about which we should have very little dispute. The question of the renewal of the income tax—that is, as to the principle upon which it should be renewed—would still be open to discussion and debate; but, apart from this debatable ground, whether you make a discrimination between different sources of income or not, the amount, according to the Chancellor of the Exchequer, would be very much the same; and if it be the same, your present prosperous revenue, without any rash dealing with the other sources of taxation, would enable you to deal with the duty on tea without any fear of a deficiency. Now I should like, first of all, to notice the mode in which the Chancellor of the Exchequer proposes to deal with the hop duty; and, with his permission, I will call his attention to what I think I recollect his laying down as what he said were the canons for all Chancellors of the Exchequer on this subject. It was, indeed, before he took the responsibility of office, but still the canons he laid down are singularly applicable to the present case. He said—"That which I would uphold as the golden rule for all Chancellors of the Exchequer is, to beware that no tax whatever—whatever form it may take—whether it be a Custom duty, an Excise duty, or a direct tax which is imposed—should in its nature be excessive;" and then he goes on to say, "Complete remission or complete commutation; these are the two principles upon which a finance Minister should proceed." Complete commutation or complete remission! Now, this is the rule which the right hon. Gentleman has laid down as the canon for Chancellors of the Exchequer. Let us try the course which he is about to take with reference to hops and malt by that canon, which I consider so sound. Now, with respect to the hop duty, I imagine it is pretty nearly agreed, by common consent, that the remission of half the hop duty is exactly, according to the rule of the Chancellor of the Exchequer himself, the most objectionable course which he can possibly take. Repeal the whole of the hop duty, and you get rid of the entire charge and vexation of collection, and the loss to the public revenue would not be very great. The cost of collection is great, the amount received is small; and the impost is, I believe, vexatious and onerous to the grower, as it certainly is onerous to the consumer. The interest of the consumer certainly is, that the entire tax should be remitted. Now, I believe that the retention of half the tax will not be attended with any advantage whatever; the vexation of the mode of collecting the duty and watching the growth of the plants still remains unchanged; and, then, if you let in foreign hops upon a duty strictly countervailing and non-protective, I am satisfied that the grower of hops, so far from thanking you for this reduction, will be greatly injured by it. And when we come to the Motion of the hon. Member for East Sussex (Mr. Frewen) we shall find that it affirms that view of the case. I do not think that any course can be conceived which is in more direct violation of his own canon, and which is more inexpedient in every respect than that which the Chancellor of the Exchequer proposes to take in the remission of half the duty on hops. I will now, Sir, proceed to the malt tax; but that subject has been so thoroughly discussed that I am very unwilling at this period of the evening to prolong the disquisition on that particular point. The right hon. Gentleman the Secretary of State for the Home Department (Mr. Walpole) was pleased to magnify me into a great authority on this subject, and he quoted a prophecy of mine which I ventured to make in 1839. I must tell my right hon. Friend, that now when we are agreed as to the repeal of the corn laws, the less that is said about prophecies with respect to that subject the better—["Oh, oh!"]—because it may be that the Gentlemen whom I see on the opposite side of the House, should, under present circumstances, be the first to desire that all prophecies as well as promises with respect to the Corn Laws, should be buried in eternal oblivion. But, however, I must say this, that I have invariably opposed the repeal of the malt tax, or any remission of it. It has been truly said that this experiment has been often tried, and always without success. In 1816—I think it was—a large reduction of that duty took place, and a loss was sustained to nearly the whole amount of the duty taken off. In 1819 it was again increased; and in 1821 the duty was for a short time again reduced with the same result. In 1833 I had the honour of being in the service of the Crown, together with the Earl of Derby, under Earl Grey, when a Motion was carried somewhat unexpectedly that the repeal of the malt tax was expedient. In forty-eight hours afterwards Lord Althorp, the representative of that Government, in the House of Commons came down to the House with the full concurrence of the Earl of Derby himself and of his other Colleagues, and announced to the House, that if that Resolution were not reversed, the fate of Lord Grey's Government was sealed, and that he would no longer be responsible for the Government of the country. The consequence of that Resolution was, that the House, contrary to the usual practice in such circumstances, did not hesitate to rescind the Resolution to which they had come. Again, I think my hon. Friend, if he will permit me to call him so, the hon. Member for the North Riding (Mr. Cayley), in 1851, proposed the repeal of the malt tax; and I then, being out of office and exercising my own individual judgment, voted against that Resolution. I was certainly led to believe that the noble Lord at the head of the Government entertained, even at that time, the same opinion. He and I acted together for many years on the subject of the malt tax, and he then declared that he could not countenance the repeal of the malt tax, as it was a branch of the revenue so large that he did not think it right, with reference to the safety of the State and to its credit, that it should be placed in jeopardy. Now, I listened to the hon. Member for Derby (Mr. Bass) on this subject, last night, with great instruction. He urged arguments which, if I had any doubt with respect to the repeal of the malt tax, appeared to me to be conclusive in favour of maintaining it. It has been said sometimes that the excise regulations are most vexatious, and that they interfere with the making of the malt in the best and most advantageous manner. But my hon. Friend the Member for Derby declared that such was the improvement which had taken place in the excise regulations, that they did not interfere in the slightest degree with the manufacture of malt, and that such was the skill of the British maltster in preparing his malt, that if they had a drawback he was clear that they could export malt to the continent of Europe. Another argument has been brought forward with respect to the feeding of cattle. The hon. Member for Derby declared, however, that as the law now stands there is nothing to prevent any farmer from wetting his barley, germinating his barley, and in fact doing everything but drying it up to the particular point necessary for brewing or distillation. He said also, what I believe is perfectly true, that that process, carried on up to that point, is all that can possibly be required for the feeding of cattle. Well, now, I will not go at any length into the question of what effect the repeal of half the duty will have upon the retail price to the consumer. The right hon. Gentleman the Member for Halifax (Sir Charles Wood) read to the House the other evening the evidence of the greatest brewer in this metropolis, and I believe in the world—Mr. Barclay—who has distinctly told you that the effect of the remission of the whole duty would only be to reduce the price of porter to the consumer in this metropolis to the extent of $\frac{1}{2}d.$ a pot, and, consequently, that the reduction of half the duty would only be attended with a reduction in the retail price of $\frac{1}{4}d.$ per pot. Now, I am satisfied that when any reduction in the price of an article by the remission of taxation, as affecting its retail consumption, is limited to an amount less than the coinage in current use, that the advantage of that reduction is not appreciable. My hon. Friend the Member for Derby also told you that pale ale would only be reduced 4*s.* per barrel. That is, a reduction (if it is possible to appreciate it) of something less upon the barrel than that calculated by Mr. Barclay; that is, of something less than $\frac{1}{4}d.$ a pot. Let us take now the case of the barley grower. I am bound to say that, with reference to the real barley land, I think there is every reason why the remission of this duty is not to be desired by the strictly barley-growing districts. The effect of the present law is to give the strictly barley-growing districts a premium on the cultivation of barley. The demand for barley of the first quality is almost boundless; but the supply of barley of the first quality is very limited. It is confined almost entirely to three counties—to Hertford, Suffolk, Cambridgeshire, and, perhaps, Norfolk. Now, the importation of malt is strictly prohibited, and while that prohibition continues, I believe that the barley grown on naturally first-rate barley soils—from the almost boundless demand for it, and the limited supply under the existing law—will under that law command a higher price than if half the malt tax were repealed, and foreign malt admitted under a countervailing duty. With regard to the districts which are supposed to have suffered most by the repeal of the corn laws—the wheat-growing districts of England—they are heavy soils, not suited for the growth of barley; they would derive no benefit whatever from any encouragement given to its cultivation, and would not partake, in an agricultural point of view, of any advantage derived from the remission of this tax. With regard to the rest of the area of this country, the soils—generally of a damp and cold description—are not suited to the growth of barley, and I believe that at present prices oats will be found a more profitable crop; at all events I am satisfied that no great benefit will arise to them from the proposed measure. Then how stands the case with regard to Scotland? I hardly know what the Scotch Members will say—but with respect to the proposition for taking off the discriminating duty between barley and the inferior descriptions, such as bere and bigg, it is, I think, one of the harshest propositions ever made to Scotland. There is an intrinsic inferiority in the grain itself; and why, when you say that you wish to favour the agricultural districts, you place the growth of "bere and bigg" in Scotland on a less favourable footing than at present, I cannot see. The withdrawal, too, of the drawback upon malt spirits in Scotland, will, instead of a favour to the agriculture of that country, be a most severe blow.

I will now, with the permission of the House, pass on to another topic, on which, if the country Gentlemen will permit me, I would really speak to them as a friend. [*Laughter.*] If community of interests does not entitle me to address you in that capacity, I really am afraid I cannot plead any argument which will convince you with reference to my motives. But still I have great reliance on your reason, and I will put the matter to you, as I think, with irresistible force, with reference to the point upon which I am now about to touch. I am about to refer to the Exchequer Loan Commission; and I must be permitted to say that, though I have opposed the transfer of local burdens to the Consolidated Fund, yet I think that if ever there was a fund really useful as an aid, and circulating for the constant benefit of the landed interest, it is the fund now in question. It is a most legitimate fund in aid of local burdens —a fund not costing the public at large any sum whatever to their detriment or disadvantage, but a revolving sum of 360,000*l.* a year, which is lent to the landed interest throughout the United Kingdom from time to time for purposes purely local, and these loans have been attended with the most beneficial results to the landed interest. Now will you allow me just to read you a list of the purposes to which this loan has been applied, and you shall then judge for yourselves—rejecting my authority altogether —whether I am not right in saying that the works to which I am about to refer as made by means of this fund are of great local importance, and are works which, if this assistance be withdrawn, must be executed without the aid of capital advanced on such advantageous terms, but entirely drawn from the pockets of the country gentlemen. Now, the last return which has been presented to Parliament with reference to this subject is dated in 1852, and I will show you from it what is the benefit which the land has received, and what is the corresponding benefit that the towns have derived. With regard to land, the works executed have been the construction of canals, rivers, drainage, bridges, roads, railways, collieries, and mines. Now, all the Gentlemen with whom I had the pleasure of sitting on the Committee upstairs with respect to the county rate, will remember the heavy burdens to which the land is exposed with reference to lunatic asylums, law courts, gaols, and public buildings; and they will also remember that, above all, there is, under the new Poor Law, the enlargement of workhouses, for which no less a sum than 1,100,000*l.* has been lent from this very fund. There is another matter also bearing on the state of the poor—assistance has been given from this fund for the purpose of promoting emigration from certain parishes where the population was redundant. Now all these works and beneficial purposes have up to the last moment been aided from this fund. Stop this fund, and a large proportion of these works must still be continued, and fresh demands will arise; and I contend that they must be met by great sacrifices on the part of the country gentlemen, out of their own means, either immediately or by loans effected on terms not nearly so advantageous to them. Then we come to the works executed in towns. There there have been churches built, gas and water works and baths and washhouses erected, and the execution of town improvements, of harbours and docks, and of other local works of great importance, aided with this fund, without which their execution would in many cases have been absolutely impossible. But it is said that the state of the money market does not render any such advances necessary at the present moment. That may be true; but this system has been in operation for thirty years. Loans have been issued, and have come in again during that time without loss; and with reference to the facility of repayment there is a facility granted under this system without risk to the public, such as no private lender could give. Now, there has been, as I have said, no loss on these transactions, but, on the contrary, the public have been the gainers. Why, then, disturb it? I appeal to any Gentleman who has been conversant with the Government, and I really should think that the right hon. Gentleman himself, in the comparatively short time which he has held the office with which he is now entrusted, must have felt the convenience of the existence of this fund. Frequently there is a strong pressure on the Crown, with strong local interest, to make advances which these communities desire. The answer of the Government is—"We cannot interfere with this local matter; go to the Exchequer Loan Commissioners; if you have a good case on principle, you will get aid from them; if not, we cannot interfere." Now, I say, the existence of that body is a great convenience to the public, and I believe that, as relates to the interests of the public, it is a very economical body. Nor do I think it possible for a fund so useful as I have described to be placed under the management of gentlemen of more unimpeachable integrity than those by whom its distribution is directed. It so happens that there has been a gratuitous and honourable assistance given by men of first-rate position and pre-eminence in the distribution of this fund, so as to prevent even the suspicion of its misapplication. I may mention that there are among the Commissioners Lord Hatherton, Sir T. Acland, Mr. W. Whitmore, Mr, Loch, Lord Fortescue, Mr. Labouchere, Mr. A. Robartes, Mr. T. Baring, M.P., Mr. Norman, Mr. Warburton, Mr. G. Glyn, M.P., and Lord Overstone. Now, is it possible to have a fund placed under more unexceptionable control; and why will the Chancellor of the Exchequer lay violent hands upon it, in order to prevent a deficiency solely of his own creation by his tampering simultaneously with two great branches of the taxation of the country—the malt tax and the tea duty—yielding together an income of ten millions per annum, or not less than one-fifth of the whole revenue of the country? With a balance of 1,500,000*l.* in his favour, he tampers with these two great branches of revenue in such a manner that, in order to meet the deficiency which he himself creates, he is driven to lay violent hands on the funds of the Exchequer Loan Commissioners; and without this sum—even omitting other points which without further explanations would swell the deficiency—the right hon. Gentleman has no surplus either in the first or second year, except what this particular fund will enable him with difficulty to obtain. An appeal was made, which has not yet been answered, but which I hope will be answered before the close of the debate. I see the right hon. Gentleman the President of the Board of Control for the Affairs of India (Mr. Herries) in his place. There is no Member of this House who has had so long an experience in the finances of the country. There is no Gentleman, I verily believe, who understands all the minute details of finance in this country one half so well. I ask him, with all his long experience in office under different Administrations, has he ever known a Budget opened to the House in a period of prosperity with a surplus of 1,500,000*l.* available, which would create for the first year a surplus of only 400,000*l.*, to be obtained by seizing a loan fund such as that to which I have adverted, and which, on taking an ulterior view, and referring to the second year, would produce, according to the most sanguine calculation, no surplus whatever? And if this sum shall not be thought by the House to be permissible to be so taken, as the Chancellor of the Exchequer proposes, is my right hon. Friend (Mr. Herries) prepared to advise the House to pass this Budget, which will leave the resources of the country without any surplus whereby, as has been observed by my right hon. Friend the Member for the University of Cambridge, the credit of the country may be shaken to its foundations? I hope in the course of the debate we shall hear the opinion of my right hon. Friend (Mr. Herries) on this point.

I shall not trouble the House on several points which other Members who preceded me have touched upon. I think my hon. Friend the Member for Kidderminster (Mr. Lowe) spoke with great force and ability last night. I hold, with him, that it is a most objectionable course so to deal with great branches of revenue, that in the year in which you make the proposition there shall be very little diminution in the receipt of taxes for that year, but that in the year next ensuing there shall be an immense diminution. My hon. Friend described that system most admirably. He said it was drawing bills on popularity at a long date and discounting them at once; I must say that is a transaction which, as it appears to me, is not altogether worthy of a Chancellor of the Exchequer. I shall take another point. You remember well the speech made by the right hon. Gentleman (the Chancellor of the Exchequer) with reference to the question of direct and indirect taxation, in which he laid down this principle broadly—and he referred to it again the other night—that direct taxation, with large exemptions, is confiscation; and I must also refer to that which I heard, and hearing could not forget, that without large exemptions direct taxation is impossible. Let us try the plan of the right hon. Gentleman by both these tests. Has he materially altered the exemptions from direct taxation? There is the great exemption of Ireland—that is to say, the largest existing exemption. Now, has the right hon. Gentleman, according to the strict canon laid down by himself, materially altered that exemption? What does he propose to do? He proposes to tax the funds and salaries in that country, and to leave all realised property in land, and all charges upon land, free from the tax, and also professional incomes and incomes derived from trades. He proposes also to do that which even that ardent admirer of direct taxation the hon. Member for Montrose thinks too severe. In the same year, in the same Budget, at one stroke, he proposes to bring down the exemptions from the income tax from 150*l.* to 100*l.*, and also the exemptions from the house tax from 20*l.* to 10*l.* Let us try this—let us analyse this great scheme for revising taxation, which is to do justice to all parties, and to remove all inequalities. Take a clerk receiving a salary of 100*l.* a year, living either in London or in Edinburgh. For the first time you will tax the income of that man about 2*l.* 4*s.* a year. He lives in a 10*l.* house—it is hardly possible that he can obtain a lodging for less than that amount—and you will therefore tax his residence; you will lay altogether upon that man an impost amounting to about 3 per cent; but the clerk living in Dublin and in Cork will not be taxed, and neither the income tax nor the house tax will affect him. On the other hand, Ireland pays the malt tax—Ireland pays the tea duty. The only compensation you give the clerk in England or in Scotland is the amount he gains by the diminished price of the tea and porter consumed by him; you take off in duty say 4*s.* a year from his tea, and if he drinks ale he may gain by the reduction of duty to the extent of 7*s.* or 8*s.* a year—you, therefore, on the most sanguine view, give him a remission of 12*s.* in respect of indirect taxation. But the clerk in Ireland, who has neither income tax nor house tax to pay, will derive equal advantage from the reduction. How, then, can it be said that the right hon. Gentleman has materially altered the exemptions so as to apply the tax more equally to all parts of the United Kingdom? I will go further. Let us try your new schedule for the income tax. I should have presumed, after the Committees that have sat on the subject, and which were attended by the Chancellor of the Exchequer for two years, and as he had ample time to consider all the inequalities of the schedules as they stand, we might now have expected to see them a perfect model of equity and justice. The right hon. Gentleman the Member for Halifax (Sir C. Wood), in a masterly speech, which proved his intimate and perfect knowledge of the subject, said he thought the schedules had been framed in haste, and without a distinct knowledge of their contents. I really must say, not presuming to assume any tone of confidence, I do think that much still remains to be done, if justice and equity are to be the rule of your new regulations. As regards the income tax, mines, collieries, railroads, gas-works, canals, are all in Schedule A, and will be taxed at the rate of 7*d.* in the pound, while a steamboat company or a joint-stock banking company is in Schedule D, and will pay 5¼*d.* Where is the greater certainty with respect to capital embarked in a colliery or in a mine than in a steamboat company or in a joint-stock company, and why should they be differently charged? I will now give you the case of two persons, both pursuing professions and enjoying about equal incomes. By a fiction of law a Bishop draws his income as if it were from land, and on his 5,000*l.* a year you tax him 7*d.* in the pound; the Judge has also 5,000*l.* a year for life; but he is in Schedule D, and you only charge him 5¼*d.* Take another case. A widow receives 160*l.* a year charged on land in the shape of jointure, and under the Government proposition she will be taxed 7*d.* in the pound. We have heard of Mr. Moore, with his 7,000*l.* a year for a patent place, which he considers as a freehold. You tax the widow having 160*l.* a year at the rate of 7*d.*, but Mr. Moore, with his 7,000*l.* a year, is only asked to pay 5¼*d.* These are your amended schedules, and here is your view of perfect justice and equity. But I will give you another case: you talk of realised property, and your notions of equity regarding it have been acted upon in the same way. Now, any person having property in land in the colonies—any person having property in land in any part of Europe—any person having property in the foreign funds, is to be only charged 5¼*d.*; and then, with all your care and anxiety for realised property, there is, in the very heart of Schedule C, which regards the fundholders, for whom you profess the tenderest regard—the holders of terminable annuities. While the holder of realised property abroad is to be only taxed 5¼*d.*, your fundholders with terminable annuities, who lose their capital at the end of 1860, must, according to your amended schedule, pay 7*d.* Take, again, the case of Ireland. I will put the case of a most distinguished gentleman, at the head of his profession, and who has honourably risen by his exertions, his talents, and his merits to the high position of leader of the Irish Bar. I will not pretend to say what his income is—I will not say it is more large than he deserves—but he, at the head of his profession as Attorney General for Ireland, is not to be taxed one farthing; while his clerk, who receives his briefs for a salary of 100*l.* a year, is to be taxed $5\frac{1}{4}d.$ in the pound on his salary. The tidewaiter on Lough Foyle, with perhaps some small salary of 120*l.* a year, is to be taxed $5\frac{1}{4}d.$ in the pound; while the Bishop of Derry, living in his palace beside the lake, is not to pay one penny. Hon. Members for Ireland should take care what is the vote they will give on this question. If they are content to share with the other parts of the United Kingdom in the gradual and safe reduction of indirect taxation, such as our growing means may safely allow, they will partake of the common benefit; but let them give a vote that will wing the arrow of direct taxation to the humbler classes of Great Britain, and I warn them that the time is not far distant when its barb will wound themselves. I must make one observation applicable to the whole of this subject—namely, in reference to the great question of the relative merits of direct and indirect taxation. I hold that an admixture of direct and indirect taxation is the sound and the safe policy for this country. That admixture requires great caution, and the proportions of it must be most carefully adjusted. Will the House allow me to refer to the opinions of Lord Derby on this point—and I do it, not in a taunting or angry spirit—but I must say that Lord Derby has, in reference to this subject, given opinions which are well worthy of the attention of the House at this particular juncture. Lord Derby said in 1847, "By acting rigidly on the principle of free trade, you will introduce inextricable confusion into the finances of the country." Now, I do not say rigidly; but I will substitute for that word rashly and extravagantly, and I say if you act upon the principle of increasing your direct taxation, without great caution, rashly and to an extent the country will not bear, you risk all the advantages of the moderate use of that admixture, and you will, as Lord Derby said, involve the finances of this country in inextricable confusion. Again, this very year, in this very Parliament, nay, since we met, Lord Derby has thus expressed himself:—

> "If I understand the common meaning of 'free-trade, it is this—that you will not impose taxes for the purpose of protecting individual or local interests, but that you will impose them for the purpose of revenue, and of revenue only; and that in the imposition of these taxes you will have especial regard to lightening the burdens which may be imposed on those articles which mainly enter into the consumption of the great mass of the community."—[p. 53.]

That is a very good definition of the principle; and what is Lord Derby's comment upon it?—

> "Now, in that system I see much of advantage; I do not deny that I see much of difficulty and future embarrassment. I see great present advantage. I am not sure—God forbid! but I should be wrong—that that system may not lead to future embarrassment by unnecessary changes in our financial system."

Thus it appears that Lord Derby sees himself the danger arising from the extravagant application of this very doctrine of pushing direct taxation in lieu of indirect taxation to an immoderate extent. I may be allowed with greater confidence still to refer to the opinions of Sir Robert Peel in respect to this matter. What did Sir Robert Peel say in reference to direct or indirect taxation? The very last time he spoke on the income tax, in 1848, he thus expressed himself:—

> "I am quite aware that there are limits to direct taxation; and I do not agree with those who would substitute direct for indirect taxation. I do not think that you could, except for a special and temporary purpose, wisely carry direct taxation to a much greater extent than you have already carried it. . . . . . No doubt hon. Gentlemen say, 'Oh, as to public credit, there can be no question; but let the system of taxation be revised; let the burden be more equally adjusted.' The feeling is, of course, unanimous as to public credit. Well, Sir, but I would rather have the income tax in reserve before I come to consider this amended system of taxation. Suppose this new system to be proposed on the 1st of February next, with the certainty that the income tax must expire on the 8th of April. Now, notwithstanding all the professions of your determination in the abstract to support public credit, I have so much dread of the failure of the new method of taxation, that I should wish to have the income tax to fall back upon in the contingency—the possible contingency—of your new system not being relished, or working successfully."—[3 *Hansard*, xcvii. 281.]

I think you will discover that your new system is not much relished; and I think you will agree in the policy of Sir Robert Peel, that is better to have the income tax before you attempt to pass the different propositions comprising your new system. You say that there is no reason why these exemptions, both as regards the income tax and the house tax, should not be reduced. I venture confidently to entertain a different opinion. I think there are very good reasons why those exemptions should be maintained. I am of opinion that the class having incomes between 100*l.* and 150*l.* in this country consists exactly of that class of persons whose position is that of the greatest struggle in maintaining their position. It is exactly the point where skilled labour ends—where, if I may so express myself, the fustian jacket ceases to be worn, and broad cloth comes into use amongst the working classes. It is more or less a class of persons who are driven by the force of circumstances to maintain a position somewhat higher than their means allow. As an instance of what I mean, I will say that clerks in counting houses, the humbler clerks in public offices, many of the ministers of the Established Church, and nearly all the Dissenting ministers, have to maintain a position somewhat higher than their humble means will easily permit. And then, with reference to indirect taxation, here I have before me twelve articles which are subject to indirect taxation, yielding in the gross a revenue of 32,369,000*l.* annually, and of which the persons in the particular class to which I have alluded pay more than their due proportion. There is tea, 5,902,000*l.*, and it is quite right that you should deal with it. There are means, without your new projects, sufficient to meet the reduction of the tea duty, which I think you propose to effect in a manner most judicious and unexceptionable. There are spirits, 8,550,000*l.*; malt, 5,035,000*l.*; tobacco, 4,486,000*l.*; sugar, 4,175,000*l.*; soap, 1,043,000*l.*; Post Office, 1,046,000*l.*—I include that because the humbler classes are relatively more interested in it than those of a higher class—corn, 508,000*l.*; coffee, 445,000*l.*; paper, 928,000*l.*; butter, 167,000*l.*; cheese, 84,000*l.* In all, 32,369,000*l.* Taxation to this large amount is placed upon twelve articles of the first necessity, which, as I contend, presses with peculiar severity, in the shape of an indirect burden, on that very class on whom you now propose for the first time to put this income tax. It is easy, you will say, to make objections; but the view I take of this matter is this—that you should have your machinery of direct taxation complete, and easy of arrangement, and that you should not make the burden of it heavier than can possibly be avoided in time of peace. I agree in opinion with the right hon. Gentleman the Member for Cambridge University, when he said, "You may talk of militia, of your naval preparations, of the increase of artillery and your batteries; but if you disorganise your finances and indispose the people of this country to meet their burdens, all your preparations are nothing when contrasted with the mischief you will have then done." I say have your machinery of direct taxation ready, for if the fatal necessity should arrive of protecting the safety and honour of this country, you must have immediate recourse to direct taxation; and I have that confidence in the spirit of the people of this country, that if the safety of the nation or the honour of the nation were in danger, I am satisfied that they will not refuse to bear any necessary burden, but, bearing it, they will take good care that you do not prolong the contest longer than the safety and honour of the country imperatively demand. They will expect, too, that the additional burden imposed on them shall be strictly a war tax. There is the experience of 1815 in reference to this matter. A pledge had been given that the 10 per cent property tax should be a war tax, and last no longer than the war. Never was there a stronger Ministry than that of Lord Liverpool in 1815. The march to Paris had been accomplished, the victories of Wellington consummated, and the British arms were gloriously triumphant. The victory was won—but the people of this country, always generous, but having a great love for the solemn observance of the contracts made with them, said, "This 10 per cent property tax was a war tax—the war has ceased, and so must the tax." Lord Liverpool's Government entreated that it might be continued for one year more, in order to be able to wind up the expenses of the war; but a great majority of this House, faithfully representing the feelings of the country, opposed the continuance of the tax, and it was not merely reduced, but abolished in 1816. Now, I say, guided by that experience, do not press unduly your direct taxation in time of peace; it is your great resource in time of war; and I entreat you, on these grounds, to pause before you consent to the Resolution now proposed.

Sir JOHN PAKINGTON: Sir, I feel that I rise under the double disadvantage of discussing a subject which has now been well nigh exhausted by a most able and full debate of three successive nights' duration, and of following the right hon. Baronet the Member for Carlisle (Sir J. Graham), who has entered so largely and fully into the subject, and addressed the House upon it with the ability which always distinguishes his speeches. Sir, it is not my intention to follow the right hon. Baronet through all the details of his protracted address. But there are some of the points to which he has adverted which I cannot pass over without some comment; and the first point to which I must beg the attention of the House is the mistake into which the right hon. Gentleman appears to have fallen with regard to what has been the purpose of the Government, announced several days ago, upon the subject of the Resolution now before the House. Now I beg to say that there has not been the sudden change of purpose which the right hon. Gentleman seems to suppose. Some days ago a question was put to my right hon. Friend the Chancellor of the Exchequer, I think by the hon. Member for Finsbury (Mr. Duncombe), with regard to his intentions upon the subject of this Budget; and what was the language of my right hon. Friend? If I remember rightly, it was, that he should consider it arrogant on the part of Her Majesty's Government to attempt to dictate to the House on matters of detail; but that he should certainly call upon the House, previous to the Christmas holidays, to decide upon the principle of the Budget. Let me ask the House, then, to bear in mind what is the first Resolution that is to be put from the Chair. It is this:—

> "That from and after the 5th day of April, 1853, the Duties granted and made payable by the Act 14 & 15 *Vict.*, c. 36, upon Inhabited Dwelling Houses in Great Britain, according to the annual value thereof, shall cease and determine, and in lieu thereof there shall be granted and made payable upon all such Dwelling Houses the following Duties, that is to say—"

[*Laughter, and cries of* "Go on!"] Sir, I will go on when the House ceases to interrupt me. I beg to say that I have read the whole of the Resolution that is now to be put from the Chair, and that that Resolution does involve the principle of dealing with the house tax, but it does not involve the exact extent to which that tax is to be increased. I contend that after settling that question, the next point will be whether it shall be the pleasure of the House to double the house tax; or whether it shall be the pleasure of the House to add to the existing house tax in any minor degree, without doubling it. ["Oh, oh!"] I contend that that is the principle of this Resolution —that it is the first portion of the principle of the Budget which the Government have submitted to Parliament. The principle of that Budget I hold to be this—that the property and income tax shall be assessed and levied upon a more equitable principle, and that direct taxation shall be increased so far as may be just and prudent, in order that we may be enabled by that increase of direct taxation to lighten those burdens which now press upon the consuming classes of the country. That I hold to be the principle of the Budget, and I maintain that that principle is raised by the first Resolution on which the House will be called upon to divide, and on which will rest the whole of the details which must be left for subsequent consideration. I beg to add that we do not propose to carry direct taxation to any imprudent extent, or to any extent in the least inconsistent with what has fallen from the right hon. Baronet (Sir James Graham) himself. The right hon. Baronet has quoted an extract from the language of the late Sir Robert Peel, and in doing so he said that Sir Robert Peel expressed the opinion that direct taxation should not be carried to any imprudent or dangerous extent; and that he doubted very much whether it would be prudent to carry direct taxation to a greater extent than it was carried when that statesman was Prime Minister. Now if we carry out the whole of the plan which the Government have submitted to the House—if it be the opinion of the House that it is proper to double the house tax—if the whole of this Budget be carried out, let me remind the right hon. Baronet and the House that the direct taxation of the country will even then be considerably below, by several hundred thousands of pounds, what it was at the moment Sir Robert Peel used that language, and that that was in time of peace. I think, therefore, that upon the right hon. Baronet's own principle, we may claim exemption from the charge of having proposed to carry direct taxation further than Sir Robert Peel thought prudent to carry it at a moment of profound peace. The right hon. Baronet has made a rather direct reference to me with regard to our proposals for refining sugar in bond. I am sure, however, the right hon. Gentleman will not expect me, at this hour of the night, to go into all the details of a complicated subject of that kind. So far as the principle is concerned, the right hon. Baronet has admitted the justice and the fairness of that principle: his only accusation was in confirmation of what fell from the right hon. Gentleman the Member for the University of Cambridge, that by doing this act of justice to the West Indies we may impair the revenue now derived from sugar. I will not go further into the subject than to say that Her Majesty's Government do not anticipate that, by the plan they propose of refining sugar in bond, any injury will accrue to the revenue; but within a very few days from this time that plan which is to be adopted will be placed in the hands of the trade and the country. The House will then be in a better position to form an opinion upon that part of the question. The right hon. Baronet has observed that he thought it best that prophecies should for the future, on both sides, be abandoned; and on a recent occasion, when I addressed the House on the Resolution then before us, I ventured to express a similar opinion. There can be no doubt that the prophecies made on both sides in the late controversy have turned out all of them to be more or less incorrect; and I can assure him that I have no disposition whatever to throw against him now any prophecy he may have made with regard to the malt tax in former years. We have been reminded by the right hon. Gentleman of the many cases in which the malt tax has been dealt with by Parliament, and even occasions on which it has been repealed. But I ask you whether or not the fact of Parliament having so repeatedly assailed the malt tax—at one time reducing it one-half, at another wholly repealing it—does not justly lead to the inference that Parliament and the public have for years considered the question of the malt tax to be one of the greatest importance; and whether that fact does not justify the attempt we are now about to make, not to sweep off the whole tax, as was done at the period referred to, but cautiously and gradually to benefit the consumer, and, through him, the producer, by remitting the half of the tax? And now, Sir, as to what the right hon. Baronet and the other speakers against our plan say, that this remission will do nothing for the consumer. I will take the right hon. Baronet's own figures, though I do not admit them to be just. The right hon. Gentleman assumed the statements of other hon. Members that the reduction would amount to a farthing on the quart of beer. If so, that would be 8*s.* a year. But I do not believe that a farthing a pot will prove the fair diminution. I understood the hon. Member for Derby last night to assume that the saving would be 6*s.* a barrel, which was double the amount estimated by the right hon. Baronet. Now, I should like to know whether, in former days, when there was a great controversy about the bread tax, it would not have been made a great handle of that the labouring man was taxed 16*s.* or 17*s.* a year on an article essential to his comfort and health, especially if it were remembered that that sum would have gone a considerable way to enable him to pay his rent? I shall not advert to the attacks made on the proposal of my right hon. Friend on the subject of eking out the revenue by what was called the Loan Fund. I will allow my right hon. Friend to answer that part of the question. I will only challenge the right hon. Gentleman to point out the value of that fund as applicable to public works in the present day. I know from experience that in former years that fund has been most beneficial, and was largely resorted to in the case of many public works. But now the change in the money market has made a great alteration in that respect. In the county with which I am connected large public works are being erected; but we resort not to the Loan Fund and its high terms, but to the insurance offices, the very bodies to which the right hon. Gentleman has referred. The right hon. Baronet commenced his remarks by saying that this debate has become so confused that he was bewildered and scarcely knew what they were discussing. I admit to some extent the correctness of the statement; but if confusion has arisen, I think it is not surprising, considering the magnitude of the subject, the vast variety of its details, and the very great number of objections which have been urged against the plan; but that is not the cause of the confusion that has arisen. The confusion is in some degree to be attributed, I think, to hon. Gentlemen opposite, who have successively risen to oppose our plan, among whom there has scarcely been one—the right hon. Baronet is no exception—who has not paid the highest compliments to very large portions of our scheme. Speaker after speaker has arisen, and paid just tributes of approbation to the merits of the plan of my right hon. Friend; and, to such an extent has this been carried, that in many instances the speeches delivered ought clearly to have led, not to a declaration of opposition, but of an intention to support the Budget. In other cases the objections that have been made have been founded on misapprehension of the plan itself. I allude to one great misapprehension on the part of the hon. Member for Middlesex. That hon. Member declared that the taxation was immediate, and the relief prospective. That is not the case. The House must remember, in the first place, that my right hon. Friend has been compelled to make his statement at an unusual period of the year—that the financial statement has had to be made in the autumn of this year, instead of the spring of the coming year; and though it is true that the remission of the malt tax is not to take effect till October next, the repeal of the tea duty is to commence at the same time with the imposition of the house duty, the one of which will very nearly counterbalance the other. There is, therefore, no foundation for the allegation of the hon. Member for Middlesex on this point. But, Sir, I cannot pass over the speech of the hon. Member for Middlesex without adverting in terms of great regret—I had almost said with indignation—to one other portion of it. The hon. Member for Middlesex always addresses the House with ability, and I always listen to him with pleasure, occasionally marred by that personality in which he is sometimes too apt to indulge, but from which I was happy to find his speech to-night was unusually free. The hon. Member, however, made use of an expression which I cannot pass over without remark. He attributed to us, in bringing forward this Budget, a revengeful feeling against the towns. I was sorry to find that the hon. Member for Bury (Mr. F. Peel) made use of a similar expression last night—the hon. Member said that we were dealing with the question in a retaliatory spirit. I complain deeply of these opprobrious imputations. I say hon. Members have no right to conduct the debate on such principles. Let us join issue on whatever may be the points on which we fairly differ. Let us discuss the principles of the Budget, or the items of the Budget: but I maintain that no man has a right to assail us with imputations which are most unjust. Nothing, Sir, can be more offensive to our feelings—nothing more inconsistent with the truth, than to impute to us, that in bringing forward a great proposal of this kind—which, if there be a characteristic at all, it is that of equal justice—nothing, I say, can be more unjust than to say that in doing so we have been animated with a revengeful spirit against any class of the community. I protest, once for all, against these imputations. I have said that the speeches of many hon. Gentlemen opposite ought in reason to lead them to vote for the plan of the Government, and not against it. No speech, in my opinion, is more open to this remark than that of the hon. Member for the West Riding (Mr. Cobden). I cannot refer to that speech without protesting against the comparison which the hon. Member attempted to draw between the burdens proposed to be laid on houses and the burdens on land. The hon. Member first took the existing house tax, then the proposed house tax—which he found amounted to 10½ per cent. He then assumed that houses were worth 15 years' purchase, and that land was worth 30 years' purchase; so he doubled the 10½ per cent, and came to the conclusion that houses were taxed 21 per cent, and land only 3 per cent. I must protest against such a calculation, and must remind the hon. Gentleman that he entirely forgot the land tax as an exclusive burden on land, and also that the house tax will fall as much on houses in the country as on houses in town. The hon. Member then went on to criticise, as two of the worst parts of our scheme, the mode of levying the income tax on the farmer, and the remission of the hop duty. The hon. Gentleman might make such objections, but those were not two of the most important items in the Budget—on the contrary, they were the smallest and least important. But the hon. Member then went on to say that nothing could be more just than the proposed mode of levying the income tax, and he admitted that nothing could be fairer than our mode of dealing with the tea duty. With regard to the house tax, he raised an objection—not a very serious one—and stated that he had received remonstrances from some temperance societies who would have to pay the additional tax, and who would not be benefited by any reduction in the price of beer; but, with great respect for temperance societies, this was hardly a fair argument to be used against a great fiscal change. Except this, the hon. Member had offered no other objection of any consequence. The hon. Member went on to state that he was in favour of direct taxation; and, under certain circumstances, of a repeal of the malt duty. I think, therefore, that we may fairly class the hon. Member among those who ought to support our plan. Sir, the right hon. Gentleman the Member for the University of Cambridge indulged in an expression which I greatly regret. The right hon. Gentleman accused us of tampering with the credit of the country, and with creating a deficiency. That charge was also made by the right hon. Gentleman the Member for Halifax, who addressed the House in a tone and manner I will not comment on, after the just animadversions which my right hon. Friend the Home Secretary bestowed last night on the right hon. Gentleman. Against the justice of such a charge I must earnestly protest. I deny that we are tampering with the credit of the country. The plan proposed is large and comprehensive—complicated, if you like—but it amounts to this, that the income tax is to be extended, and the system of direct taxation altered, whereby certain benefits are obtained for the consumers: and the right hon. Gentleman the Member for the University of Cambridge is the last person who should have made such a charge; for the right hon. Gentleman was a member of the Government of Sir Robert Peel at the very time when he dealt with the finances of the country on principles as nearly as possible the same as those upon which the present Budget is founded. We are repealing a tax, but I deny that we are creating a deficiency upon a scheme of this kind, which is to leave a fair surplus at the end of the year. The right hon. Gentleman read an extract from a speech of my right hon. Friend the Chancellor of the Exchequer, in which he stated that the plan which he wished to arrive at was one of equal taxation and cheap capital. Is not that precisely the present plan? I wish now to make one remark on what has fallen from the hon. Member for Kidderminster (Mr. Lowe), whose abilities are well known, and which the House must rejoice to see transferred from a Colonial to the Imperial Legislature. I listened with pleasure, but at the same time with surprise, to the first portion of the speech of the hon. and learned Gentleman. The hon. and learned Gentleman has taken his seat on what is supposed to be the Liberal side—among those who advocate progress—and yet the first argument of the hon. and learned Gentleman was, that we should remain as we were—that we should still allow the tax of 240 per cent to remain on tea—that we should leave the malt tax untouched—and that we should not make any effort to increase the comforts of the people.

Mr. LOWE said that what he had stated was that he would employ the surplus in reducing these taxes.

Sir JOHN PAKINGTON: I took down the hon. and learned Gentleman's words, and certainly he stated in the first part of his speech that there was no occasion to make these alterations, but that we should leave things as they are. The right hon. Baronet the Member for Halifax had used very much the same language. I confess I was not surprised, for the right hon. Baronet seemed to think that we had better leave the finances as we found them, which from him was very natural; but I was surprised to find such views expressed apparently by the hon. and learned Member for Kidderminster. The hon. Member for the West Riding and the hon. Member for Marylebone accused us of setting class against class, and creating differences between town and country. This is a most unfounded charge. It is impossible to deprecate too strongly that unhappy difference between classes which has been one evil of the controversy which has prevailed for some years past. My opinion is, that this Budget, instead of creating difference between town and country, will have exactly the opposite effect. One of the great evils of the controversy lately closed was a sense of injury on the part of one portion of the community; and I was sorry to observe on the part of Gentlemen opposite, what I cannot help thinking a reluctance to allow this controversy to close. I cannot help thinking that now the Government have conceded their views, and met them in a fair spirit, they seem to feel their "occupation gone." Sir, on a former evening I heard, with very great regret and surprise, some expressions used by the hon. Member for Manchester (Mr. Bright), who alluded to some county where he said the farmers were more disposed to march against Manchester than they would be to march against Paris.

Mr. BRIGHT hoped he might be allowed to explain that he quoted a gentleman—he thought it was Mr. Chowler—who said the farmers had more horses than any other class, and knew how to ride them; and another gentleman—he believed it was Mr. Ball, he hoped it was not the hon. Member for Cambridgeshire — said they would rather march upon Manchester than upon Paris.

SIR JOHN PAKINGTON: The explanation does not make the slightest difference in my argument. It is immaterial to me whether the words fell from the lips of the hon. Member for Manchester, or from those of some other person. I refer to them because the hon. Member for Manchester treats them in a jocular way; but what I say is, come from where they may, if such a feeling exist in any part of England, I can scarcely conceive a greater evil. I know the English farmers well, and so do many around me, mixing with them as neighbours and friends, and acquainted with their good qualities; and if in any county in England the farmers could be so exasperated as even partially to entertain this feeling, it could only be taken as a proof that there was a quick sense of injury, and a feeling which, instead of encouraging, we ought to do everything in our power to allay. If such a feeling exists in any class of the community, we should do well to direct our legislation in the hope of putting an end to it; and, therefore, I was sorry to hear objections thrown out against anything which, even while it was mainly a benefit to the consumer, could be held out as a boon to the agricultural class, and a measure which might tend to put an end to such a feeling. I deny that there is any ground for any such charge against this Budget. With respect to the house tax, hon. Gentlemen seem to suppose that it is to be imposed on towns and not on the country. But the house of the tenant-farmer and the house of the country gentleman will be as much liable to this house duty as the houses in towns. Then, take the remissions proposed; will the benefit of the repeal of the malt duty be confined to the country? Will not the consumer in the town be benefited along with the consumer in the country? What can be fairer in principle than to relieve from taxation an article consumed by town and country alike? Take the tea duties again—that part of the Budget has met with general approbation. The right hon. Member for Halifax (Sir C. Wood) says he had himself intended to deal with them; only, as some member of the daily press said—only he didn't, and like many other just measures, which no doubt the Whig Government intended to bring forward—[*Laughter*]—they left it for their successors to accomplish. But the right hon. Gentleman gave in his adhesion to that reduction. The right hon. Member for Carlisle (Sir J. Graham) said he not only approved of the policy of reducing this duty, but thought the mode in which it was proposed to carry it out the best that could be selected. Does the reduction of the tea duty partake of anything like class legislation? On the contrary, will not the consumer of every class and in every quarter of the kingdom benefit by this part of the plan brought forward by my right hon. Friend the Chancellor of the Exchequer? It only remains for me at this late hour of the night to touch on that most important part of the plan of the Government on which it appears to me that more serious differences of opinion exist than on any other—I mean the arrangement proposed with reference to the income tax. The right hon. Member for the University of Oxford has expressed his broad dissent from the view taken by the Government. The right hon. Gentleman spoke of the arrangement they proposed in the harshest terms, describing it as an act of spoliation, and a breach of faith with the public creditor. But the right hon. Gentleman, with that ingenuity in which he never fails, and which he sometimes carries to a remarkable extent, proceeded to answer himself. He said, "Perhaps I have proved too much." That, certainly, was what he had done. He referred to a clause in an Act of Parliament, and it is perfectly clear that, if that clause means anything, it must absolutely and entirely exempt fundholders from all income tax whatever. It never has been held to bear that construction; for from the time of Mr. Pitt the income tax has touched the funds in common with all other descriptions of property. The right hon. Member for the University of Cambridge went rather further last night. I understood the right hon. Gentleman, whom I do not wish to misapprehend, as saying that the Government are proposing to tax the funds on a different principle from that which they applied to any other kind of property. I must dissent from that opinion altogether. The Government are not so dealing with funded property. We are classing it with all other fixed property. We say there is a broad distinction between property in the funds or in lands, and that class of income which is precarious, and by a change of trade or a visitation of Providence might be an income to day, and be wholly gone to-morrow. I do not think I could take a better illustration of the principle upon which we propose to act in regard to the income tax than the case quoted by the right hon. Baronet the Member for Carlisle this evening, but with the most opposite intention—I allude to the case of the bishop and the judge. The right hon. Baronet said, that the bishop may draw 5,000*l.* a year, and the judge may draw 5,000*l.* a year as the salaries of their respective offices, and that we propose to call upon the bishop to pay 7*d.* in the pound of his income, while we only ask the judge to pay at the rate of 5¼*d.* in the pound. Why, then, the right hon. Baronet asks, should there be this difference? Why, simply because between the bishop and the judge there exists that very principle of difference which in justice we propose to recognise. The bishop is the holder of an estate, and has really his income for life. But the judge is the holder of a salary which he may not possess for his life. [An Hon. MEMBER: The bishop may be deposed.] Whatever arguments may be directed against the view of the Government upon this subject, that now suggested by an hon. Member is the last I should expect to have heard. A bishop may be deposed! Why, it was possible that he might; but I can only say that I am not at all driven by that argument from the position which I have taken up, that the distinction between a bishop and a judge is, that the one holds an estate for life, the other a salary—which the visitation of Providence any day may, if not altogether take away, very seriously reduce; and in the supposed case of a deposed bishop, I doubt whether the House of Commons or the country would trouble themselves much about the amount of income tax which such a bishop should pay. Sir, Her Majesty's Government have deeply considered this most important question; and, in their opinion justice requires that the distinction to which I have adverted should be drawn. I believe too, it is a distinction which will be supported by an immense majority of the country, and by a very large proportion of the House of Commons. The views entertained on the other side with respect to this question evidently are extremely various. The Government are now threatened by a combination of parties on the other side. Four different parties, having little in common of agreement, seem to think they may combine together to assail this Government. I doubt the success of the combination. I do not believe the public will approve of such a combination for such a purpose. I am confident the sense of the majority of this House will sanction a principle which, in argument, hon. Members have been unable to contravene. If they should go a step further, they will find such a combination held together by a rope of sand. If they prove successful in their combination they must deal with the finances of the country. The income tax is one of the indispensable parts of the public income at this moment. Whether permanent or not—I hope it will not be so —they cannot dispense with it at this time. How, in their proposed combination, do they propose to deal with the income tax? The hon. Member for the West Riding, the hon. Member for Montrose, a large portion of this House, consisting of Members who sit on the other side, had declared that the re-enactment of the income tax on any other principle than that which the Government advocates will be unjust. Such is the voice of the country. The right hon. Member for the University of Cambridge, the right hon. Member for the University of Oxford, and the noble Lord the Member for the City of London, say that what their friends behind them called justice, they call spoliation and breach of faith. I should like to know how such a combined party mean to settle the income tax. I believe the majority of the House of Commons will feel that, while the Government have no desire to dictate to the House arbitrarily with respect to details, they call on it, and successfully, to support the principles on which the measure of the Government is founded. These principles are principles to be acted on in strict justice; they are founded on a regard to the comfort and welfare of all classes. There are those who have endeavoured to excite dissatisfaction and discontent in the country against the propositions made by the Government. I believe they have signally failed. I believe that even in those populous towns where such arguments might appear most likely to meet success they have failed. They had failed to excite the public feeling; and I do not believe that any large class can be found who will be prepared to uphold any principle, such as that of having an exempted class in the country—a principle which I consider most dangerous. The very class which hon. Gentlemen are seeking to exempt is that which have been most benefited by the commercial legislation of the country. I believe, Sir, that such will be the general feeling of the country. I shall await with perfect satisfaction and content the decision of the Committee. Whatever it may be, the Government will at all events have the satisfaction of having submitted to Parliament a plan having for its object to promote the welfare of all classes, and which will be approved by the calm judgment of a reflecting people.

Mr. CROSSLEY said, he could assure the Committee that he would not detain them on that the first time he had had the honour of addressing them, further than to express his opinion in accordance with the statements he made on the hustings before he was elected representative for his native borough of Halifax. He would not oppose the Budget because it was brought forward by any particular Chancellor of the Exchequer, but because he did not approve of the principle of it. Show him a good case and he would vote for the imposition of any one of the taxes that was proposed; but he maintained that the proposition now before them was not fair and just to the people. For instance, if a person in business chose to leave his friend 100,000*l.*, the Government took 10,000*l.* of it as a legacy duty; but if a landowner left to a friend the same amount in land, the Government took nothing at all. Was that fair? If a tradesman wished to insure his property from the risk of fire, he was charged a duty of 200 per cent; but if a landowner or a farmer wanted to insure his farming stock, he paid nothing at all. Was that just? If a manufacturer sent his horse and cart to the coal-pit, he was charged 16*s.* 8*d.*; but if he sold that same horse and cart to a farmer, and that farmer took them to the coal pit, he had nothing at all to pay. Was that just? He was as much in favour of direct taxation as any man, but he could not agree with what was an inconsistency. He must first know that the direct tax was a just and an equal one; and, secondly, that it was needed by a real deficiency in the revenue. And if they were going to create a need by taking off some indirect tax, he must also know that that was the best indirect tax that could be repealed. The right hon. Gentleman the Chancellor of the Exchequer said, that malt liquor was a prime necessity of life. But there was a large class of persons in this country—hard-working men, too—who never tasted malt or any other kind of intoxicating liquors. Instead of doing them harm, they found that this did them good. He was himself a living proof of what of what he had been stating. For six years he had not tasted malt or any other kind of intoxicating drink, and he was not the worse for it—at least if he was, he did not know it. He thought, therefore, the malt tax was the very last that should be taken off. His hon. and learned Friend the Member for Kidderminster (Mr. Lowe) said last night that not a single meeting throughout the country had been held by the consumers of beer to petition against the tax; and yet hon. Gentlemen on the Ministeral side of the House had said that it was for the benefit of the consumer that they wished to repeal that tax.

Sir ALEXANDER COCKBURN moved that the debate be adjourned.

Lord JOHN RUSSELL said, before the debate was adjourned, he wished to ask a question of the right hon. Gentleman the Chancellor of the Exchequer, which he thought to be of the utmost improtance to enable the Committee to arrive at a conclusion of the debate. He wished to know what was really the proposition upon which the Government wished to take a division of the Committee. He thought the Committee was at least entitled to know what the proposition was to be. He had certainly had supposed that the proposal of the Government was, that the existing house tax should be doubled, and be extended to houses of the value of 10*l.* a year. But he had heard in the course of the evening certain expressions which seemed to imply that the part of the proposition which went to double the house tax, was to be abandoned, and that the only proposition to he put was one for extending the area of the tax. If that was the case it materially altered the proposition, not only with regard to the house tax, but even with regard to the whole of the Budget. In the first place, he believed that in point of form the proposition should be different from what was contained in the Resolution before the Committee, which ran in these terms:—

> "That from and after the 5th day of April, 1853, the Duties granted and made payable by the Act 14 & 15 *Vict.*, cap. 36, upon Inhabited Dwelling Houses in Great Britain, according to the annual value thereof, shall cease and determine, and in lieu thereof there shall be granted and made payable upon all such Dwelling Houses the following Duties (that is to say)—"

If it were merely intended to extend the area of the tax, it would not be necessary nor right in form to resolve that the duty should cease and determine. It would only be necessary to propose additionally that the tax should be extended to houses of 10*l.* value. But, in the next place, it appeared to him that the whole plan of the Government depended upon the existence of a surplus of 2,500,000*l.*, to enable them to take off one half of the malt tax. Now, he understood the right hon. Gentleman to state that 150,000*l.* would be gained by extending the house tax to houses of 10*l.* a year; and that the remaining sum required to make up the 2,500,000*l.* would be gained by doubling the amount of the house tax. That sum was absolutely necessary to be provided for in order to enable the Government to carry their other propositions for the reduction of taxes into effect. The words he had heard fall from different Members of the Government, especially from the right hon. Gentleman the Secretary of State for the Colonial Department, would induce him to think either that some alteration had been made in the proposition of the Government, or that hon. Members on his (Lord J. Russell's) side of the House had not rightly understood the proposition; so that the whole Budget seemed to be left in a state of considerable uncertainty.

The CHANCELLOR OF THE EXCHEQUER said, he wished the vote to be taken on the first Resolution, and he should consider the result of that vote of the Committee to be conclusive on the whole Budget—on the whole of the propositions he had submitted to the Committee.

MR. GLADSTONE said, nothing could be more clear and intelligible than what had been stated by the right hon. Gentleman, but he apprehended it did not correspond with what was stated in the Resolution. The right hon. Gentleman wished the vote to be taken upon the whole Budget, but he apprehended that the Chairman of the Committee, no doubt in conformity with the rules and customs of the Committees of that House, had not put the question upon the first Resolution, but merely upon the preamble of the Resolution—namely—

> "That from and after the 5th day of April, 1853, the Duties granted and made payable by the Act 14 & 15 *Vic.* cap. 36, upon Inhabited Dwelling Houses in Great Britain, according to the annual value thereof, shall cease and determine, and in lieu thereof there shall be granted and made payable upon all such Dwelling Houses the following Duties (that is to say)—"

—a sentence which was in itself incomplete. If the question had been put upon

the whole of the first Resolution, there would not have existed the slightest difficulty. But it was most important that the Committee should know whether they were really going to vote on the whole matter contained in the first Resolution, although, in point of form, the words of the Preamble only were put to the Committee. If they were going to vote for the first Resolution in its entirety, the Committee then knew perfectly well what they were about; but if they were only going to vote for the Preamble, he thought that no Gentleman could possibly know what he was about. A person who wished to diminish the house tax might, with perfect consistency, vote for the Motion; and a person who thought that any improvement might be made in the house tax might also vote for it. That was a most awkward position for hon. Members to occupy. He wished, therefore to ask whether a vote on the Preamble was to touch the substance of the Resolution or not? If not, then, as far as the Preamble was concerned, it might be allowed to pass *sub silentio*, and the vote be afterwards taken on the substance of the Resolution.

MR. MILES said, he hoped the right hon. Gentleman the Chancellor of the Exchequer would not be driven from his object. The country would fully understand the meaning of the opposition to it. The question really was, were not the principles laid down in the Budget acceptable, just, and useful to the country? He would not even pledge himself to every single detail of the Budget, therefore he thought every Member of that House had every right, when he voted for the principle, to say he did not pledge himself to all the details of the Budget. Therefore he hoped that the House and the country would clearly understand how this vote would be taken—that was, whether the principle of the right hon. Gentleman the Chancellor of the Exchequer was right or wrong. He himself thought that those who voted for it would not be expected to agree to all its details.

SIR CHARLES WOOD said, the part of the Resolution put by the Chairman simply repealed the existing house tax, for the purpose of substituting other duties. That was stated in the former part of the Resolution, and was the first substantive enactment, and stated that 1*s.* 6*d.* should be imposed on every house, and 1*s.* on every shop, and the proposition was, that the extension should take place to every

10*l.* house. The question was, whether the Committee would agree to double the house tax or not. [*Cries of* "No!"] That was substantially the enactment. Had hon. Gentlemen read the Resolution? That proposition was an extension of the house duty to houses of 10*l.* and upwards. That was practically the proposition. The hon. Member for Lambeth (Mr. W. Williams) had moved a Resolution to substitute property paying Probate and Legacy Duty, and the hon. Member for Montrose (Mr. Hume) urged him to withdraw that Motion, in order that a vote might be taken, aye or no, for doubling the house tax. Up to this night they had argued the question, that however necessary it might be to consider the other portions of the Budget—as the malt tax and tea duties—it was a clear understanding that the first vote was to be taken, aye or no, for doubling the house tax. To-night, however, it seemed there was a doubt thrown out whether that was the question on which they ought to divide. If the mere proposition was for an extension of the house tax to houses of 20*l.* and upwards, it would be utterly unnecessary to repeal the existing duty, and consequently this Resolution ought to be withdrawn. If they intended to alter the duty, well and good; but if they did not, they should withdraw this Resolution altogether. All they (the Opposition) asked was, that the Government would tell them what they meant; if they meant to say they abandoned the notion of doubling the house tax, let them say so—and tell them what they intended. Of course, that would involve the abandonment of some portion of the Budget—the remission of the duty on tea or the malt tax. If that was so, why did they not say so, and say what they really intended?

The CHANCELLOR OF THE EXCHEQUER said, he thought he had frankly answered the question of the noble Lord (Lord John Russell), and it appeared to him that the noble Lord was perfectly satisfied. He said that he thought it was perfectly understood they should take the division on the first Resolution, and that he should consider the opinion of the Committee on that proposition conclusive with respect to the general principles of the Budget. He had no hesitation now in saying, that it was the intention of Her Majesty's Government not only to extend the area of taxation, but to propose an increase of the house tax. After the whole debate had been taken on the Budget, and after he had frankly stated it was the intention of Government to propose an extension of the area and an increase of the house tax, he reserved to himself and to the Committee the right of moving any Amendment they thought fit upon it.

COLONEL SIBTHORP said, he felt that the observations of his right hon. Friend the Chancellor of the Exchequer were worthy of the very deepest consideration. He would support the views of the Government, which he believed to have been most frankly expressed, reserving to himself the right of hereafter giving his opinion upon their various propositions in detail. He was entirely opposed to the attempt which was being made to overthrow Her Majesty's Ministers by hon. Gentlemen opposite, who were so ready to take their places—an ebullition of party feeling which would meet with no sympathy from him. He would give no countenance to the endeavours of hon. Gentlemen, who had no principles of their own, to climb into the places of the right hon. Gentlemen below him—an effort, let him tell them, in which they would not succeed.

LORD JOHN RUSSELL said, he was entirely satisfied with the declarations of the right hon. Gentleman the Chancellor of the Exchequer. Whether or not it would be more convenient to take the division on the preamble, or, as had been suggested, to postpone the preamble, and take the division on the substantive part of the Resolution, was a matter which he thought well deserved consideration; but as to the explanation of the intentions of Government he was entirely satisfied. He supposed the adjournment would be to Thursday, and he hoped the House might be able to come to some understanding that the debate should close on Thursday evening.

The CHANCELLOR OF THE EXCHEQUER said, that it was certainly of the utmost importance that some such understanding should be arrived at.

MR. V. SCULLY said, that every English Member had been patiently listened to, but the moment he got up he was not heard, because he was an Irish Member. Ireland was considerably interested in this Budget; but, with one exception, none of the Irish representatives had had an opportunity of expressing their opinions upon it. Before the debate concluded, he trusted that opportunity would be given.

The House resumed: Committee report progress.

The House adjourned at One o'clock.

HOUSE OF COMMONS,

Wednesday, December 15, 1852.

MINUTES.] NEW MEMBER SWORN.—For Lisburne, Roger Johnson Smyth, esq.
PUBLIC BILL.—2° Tenants' Compensation (Ireland) Bill.

LAW OF SETTLEMENT.

MR. WISE begged to ask the President of the Poor Law Board whether there was any intention of altering the law of settlement, or of proposing any change in the mode of charging the rates for the relief of the poor? also, whether there was any information in the Poor Law Office as to the quantity of land which had been hired or purchased by Boards of Guardians for the purpose of cultivation by the inmates of union workhouses? and whether any statements had been transmitted to the Poor Law Board showing the result of the employment of the inmates of workhouses on the land so hired and purchased? and, if any such information and statements had been given, or existed, whether the President of the Poor Law Board would place a copy of the same on the table of the House? The object of the second question was to ascertain whether the Poor Law Board approved of the system of cultivating land by means of ablebodied paupers?

SIR JOHN TROLLOPE said, that during the time he had held office he had given his best attention and consideration to the very important subject which the hon. Gentleman had brought before the House. So much consideration and care were required in the preparation of any measure on the subject, that he was not in a condition at present to lay a Bill before Parliament; but, feeling that it was a subject which could not be decided on without the concurrence of Her Majesty's Government at large, he had laid before them all the papers he had thereupon at the Poor Law Board, and for some time past they had been giving their anxious attention to the matter. In reply to the second question, he begged to say that the Poor Law Board could furnish the hon. Gentleman with the information he desired in regard to the quantity of land either purchased or hired by boards of guardians for cultivation; but the boards of guardians were not in the habit of furnishing detailed reports, either of a financial nature or with respect to moral effects. The Poor Law Board were acquainted with these only as they came to their knowledge occasionally through the reports of the poor-law inspectors; but, if the hon. Gentleman wished a return only of the quantity of land so employed, the Poor Law Board were in a condition to furnish the information on his moving for such a return.

TENANTS COMPENSATION (IRELAND) BILL—ADJOURNED DEBATE.

Order read, for resuming adjourned Debate on Question [7th December], "That the Bill be now read a Second Time."

Question again proposed.

Debate *resumed.*

MR. J. D. FITZGERALD said, he begged to draw the attention of the House to certain proceedings that had been taken in reference to this subject since the question was last before them. After the debate and division on the subject of adjournment on the previous occasion, when this measure was under discussion, the right hon. Gentleman the Secretary of State for the Home Department acceded to a proposition that was originally made by the hon. and learned Member for Kilkenny (Mr. Serjeant Shee), to have the Bill at present before the House, and the Bill commonly called Mr. Sharman Crawford's Bill, referred to a Select Committee. The right hon. and learned Gentleman the Attorney General for Ireland was present on the occasion, and expressed no dissent from that arrangement; and he (Mr. Fitzgerald) conceived that when one Member of the Government (the Secretary of State for the Home Department) made that arrangement, and when another Member of the Government (the Attorney General for Ireland) was present and did not object to it, the natural inference to draw was that the right hon. and learned Gentleman assented to it. Although some Members on his side of the House apprehended that the Bill introduced by the hon. and learned Member for Kilkenny would be strangled in the Select Committee, still they abided by the proposition that had been agreed to. Although he (Mr. Fitzgerald) dissented from the principles of the Tenants' Compensation Bill, he felt himself bound, after assenting to what had been done by the hon. and learned Member for Kilkenny not to oppose the second reading; but after that proceeding had taken place in that House, he heard with great surprise an account of what occurred when a noble Earl in another place proposed a question in reference to this subject to the noble

Lord at the head of the Government. In the course of the observations made by that noble Earl on that occasion, he stigmatised the Bill of the hon. and learned Member for Kilkenny as one calculated to subvert the rights of property, and as a communistic measure that had been twice rejected by that House; and he asked the noble Lord at the head of the Government whether the arrangement to refer the Bills to a Select Committee had taken place with his sanction? Now, if this Bill, as introduced by the hon. and learned Member for Kilkenny, was a communistic Bill, it appeared to him, that in truth, honesty, and plain dealing, it was the duty of the Government to oppose it step by step, and not to have consented to the second reading. Though he would not for a moment say that by consenting to the second reading, the right hon. and learned Gentleman opposite had pledged himself to the principle of the Bill, yet he had assented so far that he admitted it did contain a principle that might be adopted by the House. He made these observations to give his right hon. and learned Friend opposite the fullest opportunity of explaining a proceeding, which he (Mr. Fitzgerald) ventured, though a young Member, to denounce as unprecedented. Though the right hon. and learned Gentleman the Attorney General for Ireland had consented to send the Bill introduced by the hon. and learned Member for Kilkenny to a a Select Committee, the noble Lord at the head of the Government, in another place, declared that he had no hesitation in saying that he thought the principles of that Bill were entirely subversive of the rights of property, and would never be passed by the House of Commons; and he added, that the second reading was merely *pro formâ*—that he was as much opposed as the noble Earl (the Earl of Roden), who put the question to him to the principle of the Bill, which he thought was destructive of the rights of property; that no Committee would be got to sanction such a Bill; and even if a Committee sanctioned it, no sanction would be given to it by the House of Commons. That proceeding was followed by another still more singular on the part of the right hon. and learned Gentleman the Attorney General for Ireland; and it was in consequence of the letter to which he was going to allude that he wished to give the right hon. and learned Gentleman an opportunity of making a clear explanation on the subject. It appeared that the course taken by the right hon. and learned Gentleman had been also censured, and that his own Bill had been described as a communistic Bill, destructive of the rights of property. One party charged the hon. and learned Member for Kilkenny (Mr. Serjeant Shee) with introducing a Bill containing communistic principles; and another party, in language equally plain, accused the right hon. and learned Attorney General for Ireland, and said that his Bill was equally subversive of the rights of property. Such a charge having been made, he would read to the House a letter which the right hon. and learned Gentleman had thought fit to write and publish, addressed to the Editor of the *Dublin Evening Mail*, a paper which, in public repute at least, was supposed to be one of the organs of the Irish Government:—

> "Whitehall Gardens, Saturday.
>
> "Sir—I see in your paper of yesterday an article headed 'Mr. Napier's compromise of Irish property.' The charge thus put forward is attempted to be sustained by assuming that I consented to allow Mr. Serjeant Shee's Bill to be read a second time, and to go to a Select Committee with the Bills of the Government. I beg to say that the charge is utterly unfounded, and the assumption is untrue. This is as plain language as I can use to express my meaning, and I hope it is not open to any cavil for haze or ambiguity.—Truly yours, "JOSEPH NAPIER."

He (Mr. Fitzgerald) thought that the language of that letter was open to cavil for "haze and ambiguity," for the charge made against the right hon. and learned Gentleman was, that he assented to the second reading of the Bill introduced by the hon. and learned Member for Kilkenny. He did not deny that statement in clear and plain language; but, using language that was in some degree to be expected from a gentleman belonging to the profession of the law, intimated that the assumption was unfounded and untrue. He (Mr. Fitzgerald) asked those who were present in the House at the former debate—did not the right hon. and learned Attorney General for Ireland assent to the second reading of the Bill after the statement made by the right hon. Gentleman the Home Secretary in language plain and unambiguous. It appeared to them on that side of the House as if the arrangement had been the result of a conference amongst the Members of the Government then in the House; but, more than that, the right hon. and learned Attorney General for Ireland spoke afterwards twice in the same debate, and they did not hear a word of dissent from him. He wished to give the right hon. and learned Gentleman an opportunity to explain, because he (Mr. Fitzgerald) complained on his own behalf, and on the part of the Gentlemen who acted with him, that there had not been true and fair dealing with them. He asserted fearlessly, that if the Bill introduced by the hon. and learned Member for Kilkenny was subversive of the rights of property, and did contain communistic principles, he would feel it to be his duty to oppose it step by step; and if he should feel it to be his duty to take that course, how much more was it the duty of the Government, if they entertained that opinion, not to allow it to pass? He (Mr. Fitzgerald) now wished to state his views in reference to the principle of the Bill before the House, but at the same time it was not his intention to oppose the second reading. He would say, with reference to the two Bills that had now to some extent been the subject of discussion, that he dissented from one of them (the Bill of the Attorney General for Ireland) because he thought its principle was objectionable, while he assented to the other (the Bill introduced by the hon. and learned Member for Kilkenny, Mr. Serjeant Shee), because he thought it contained a true principle, though he considered its details were very objectionable. He would not then oppose the Bill of the Attorney General for Ireland, in consequence of the arrangement to which he had referred, and because the Preamble was large enough to develop the true principle; and, if so, it was open to add to, alter, or amend it, so as they did not exceed the Preamble of the Bill. He dissented from the Bill, because no measure of the kind could be satisfactory to the country, as founded on a true and just principle, unless that principle asserted property in improvements. He found that principle asserted in the Bill of the hon. and learned Member for Kilkenny (and he was not afraid to confess that, although he adopted the principle of that Bill, he objected to most of its details), whilst the principle of the Bill introduced by the Attorney General for Ireland merely gave a defeasible compensation, variable in amount, and liable to be defeated. It was enveloped in a network of notices and proceedings, tending to produce a hostile spirit, and a system of litigation between landlord and tenant. He would say, in reference to this question, that it was not a mere Irish question, but an Imperial question, the just settlement of which was of far more importance even than the Budget of the right hon. Chancellor of the Exchequer, which they had already spent three nights in discussing.

Mr. NAPIER said, it was exactly on the principle last stated by the hon. and learned Gentleman, that from the year 1848 to the present time he (Mr. Napier), knowing the value to Ireland of a right settlement of this question, which he considered a matter of great imperial and national importance, had laboured diligently and incessantly with the purpose of completing an equitable adjustment. He, therefore, only asked the House to listen to the grounds on which he vindicated the course he had followed in proposing his own measure, and opposing that of the hon. Member for Kilkenny, on a subject which, like many others relating to Ireland, threatened to degenerate into a personal matter. In dealing with the subject he should treat it less as an officer of the Government than as a private Member, whose only wish was how best to secure the happiness of their common country: and he did expect and hope that, notwithstanding political differences, notwithstanding any differences which might exist in private life—coming to that House on a subject which affected the interests of all Ireland, without reference to creed or party—it might have been possible for a time to give up those differences, and cooperate for the purpose of framing a measure which should work beneficially for Ireland. The question before the House, like other questions connected with Ireland, divided itself into real and personal. He had found it stated, by the correspondent of an Irish newspaper, that, in consequence of some pressure, he (Mr. Napier) had consented to the second reading of the hon. and learned Member for Kilkenny's Bill, which was held to be illustrative of the advantage to the Irish party of holding together and managing their policy in that House on a certain principle. That statement, however, was not true. The hon. and learned Gentleman would bear him out when he stated that on one or two occasions he told the hon. and learned Gentleman that he did not find it convenient to take on himself the charge of perfecting arrangements which might not coincide with the arrangements of the House, which the Chancellor of the Exchequer was the proper person to control; and he referred him to the right hon. Gentleman, adding that he would not interfere with any arrangement. On the Monday night, when the Bills were put down for a second reading, he came prepared to state his reasons for objecting to the Bill of the hon. Member for Kilkenny, and he would add that he had insuperable objections to that measure; and though he would not say, like others, that he had closed his mind against all arguments, yet, as at present advised, he did not see his way to giving any assent to it. At eleven o'clock at night it was called on, but there was evidently no opportunity of entering upon a debate on such a subject. A most important trial was to take place in Dublin on the Wednesday, which he (Mr. Napier) was under obligation to attend. The hon. and learned Member for Athlone then told him that his Bill was rank nonsense, every line of it, and challenged him to a discussion. He was obliged, therefore, to send off an express on Tuesday morning to Dublin, intimating that it was necessary for him to remain here for the purpose of defending the principle of his own Bill against the principle of the Bill brought forward by the hon. and learned Member for Kilkenny. He (Mr. Napier) came down on Tuesday. He had no contract, understanding, arrangement, or anything of the sort, but he desired that his own Bill should go forward. Believing the two Bills to be irreconcileable, and seeing that the hon. Gentleman had adopted the principle, and, indeed, all the details of Mr. Sharman Crawford's Bill, he took it as a matter of course that those who supported the Bill of the hon. and learned Member for Kilkenny would raise a discussion, in which he should be able to state his reasons for supporting his own Bill. The debate went on. The learned Serjeant made a very long and elaborate speech; and as he (Mr. Napier) had himself probably taken up too much time, he thought it but fair and reasonable to allow hon. Gentlemen opposite to express their opinions before he rose to reply. One of his own Friends, the hon. and learned Member for Armagh (Mr. Ross Moore), was the only Member who spoke on his (Mr. Napier's) side; and then the hon. Member for Carlow (Mr. Ball) made a very temperate and fair speech. He (Mr. Napier) was asked by the Chancellor of the Exchequer to follow the hon. Member for Carlow, and was prepared to do so, when the adjournment of the debate was moved, and the House divided on the question of the adjournment. Up to that moment he (Mr. Napier) had no notion but that the debate was to go on. When he came back from the lobby it was stated that it had been arranged by the Secretary of State for the Home Department, who took charge of matters connected with Ireland, that as there were difficult details to be considered, it would be proper that the Bills should go before a Select Committee, and that, therefore, the convenient course would be to let the hon. and learned Member's Bill go along with them, when the several details could be carefully examined, and by these means the House would be placed in a condition more satisfactorily to settle the whole question at once and for ever. He (Mr. Napier) heard that proposition first announced by the Secretary for the Home Department, whom he had known for many years on terms of the greatest intimacy—a man of the highest honour, and one who, in whatever he did, acted from the best of motives. After this arrangement had been made, as it was said, in a spirit of conciliation, he (Mr. Napier) considered it would have been a petty thing for him to express his individual dissent, though he did not concur in the arrangement at all. So stood the matter; and having now cleared the subject of everything personal, and cherishing an honest and anxious desire to take a good course for Ireland, he appealed confidently to the House and the country whether the course he had taken was not the best adapted to achieve that object which they all professed to have at heart? Let it be observed that he did not understand any substantial objection to be taken to three out of the four Bills he had submitted to the House. A controversy had no doubt arisen with respect to the fourth. But the House ought not to consider the Bill now before it as severed from the others: they were all parts of one whole, and as such only should they be considered. By the first Bill he provided for the case of landlords themselves executing improvements. That was a matter which had not yet been proposed to be dealt with by Parliament; but it was one which by the Devon Report was shown to be of very great importance, because the complaint in Ireland was that improvements were thrown on the tenant, whereas they ought to be made by the landlord. They would find, that having enabled the landlord to make a certain class of improvements, under restrictions, when he came to the case of the tenant he gave him like powers, with similar checks, and with due precautions to prevent fraud. The Bill to which he attached the greatest importance was that for facilitating the leasing power of landlords, taking as the basis of his code the principle of contract between the two parties, and facilitating it to the utmost extent the rights of property would allow. The third Bill was a consolidation of all the laws affecting the relations between landlord and tenant in Ireland; and then came the fourth Bill, on which the difficulties and objections of hon. Gentlemen arose. His desire was, that the whole of that Bill should be sifted to the bottom by a full Parliamentary discussion before it went over to be discussed in Ireland. It was far better that it should be thoroughly examined in that House before it was brought before excited audiences with one-sided views, or made the subject of articles in newspapers, denouncing himself, like the learned Serjeant, as an author of communistic measures. He thought, therefore, that if it were fully examined in Parliament, the public would be in a better position to judge on the merits which of the two measures was right. In bringing forward this code, he had to deal with a peculiar and difficult case —namely, where parties had made no contract, and where the landlord was unwilling or unable to make improvements (as was not unfrequently the case), and where the tenant was willing to make them, by his capital and his industry—provided he could obtain a just compensation— and, having regard to the particular circumstances of Ireland, he thought the principle of the measure he had introduced to regulate that case was fair and just. The subject was not new, nor did he pretend to any infallibility in respect to it. For years back hon. Members had been speaking on this subject, and he had always answered them by begging that they would put their views in the shape of a Bill or clause, and then they would see what were the difficulties which beset legislation on the subject. Let them bring in what Bills and draw what clauses they pleased; yet they would find it useless to put upon legislation more than legislation would bear; there were moral duties as well as social obligations involved in the relations between landlord and tenant, which legislation might no doubt facilitate, but the performance of which no legislation could compel. Like the learned Serjeant he had tried to reconcile the rights of property with the rights of industry. The learned Serjeant said that they ought to endeavour to encourage improvement by the tenant. He quite agreed with him, but he said, also, that they must respect the rights of property. It was not the rich alone who were interested in preserving those rights; the poorest man in the country was as much interested in their preservation as the greatest proprietor in the land, for he had the fruits of his labour to guard; and what was property but the accumulations of industry? He found, in legislating on the subject, two models to go by. He found three Bills had been introduced in past years with respect to it— one in the House of Lords, and two in the House of Commons—all of which had undergone very careful consideration on the point of compensation; though, as yet, no Bill had been introduced but his own with respect to the leasing powers of landlords. One of these Bills went through a Select Committee of the House of Lords, another had been introduced into that House without a dissentient voice; and a third, having been brought into that House by the late Government, was sent up to a Select Committee, which was composed entirely of Irish Members—with the exception of Mr. Pusey, the then Member for Berkshire, who took a great interest in the question, and also the hon. Member for Surrey. It had been finally adjusted by this Committee. Now, he appealed to those hon. Members if he could have taken a more natural model than a Bill on which such a Committee, after having sat for three hours a day for three months, had come to such a conclusion, and which, when amended, had been received without objection by the House, though Her Majesty's Government of that day had not taken any subsequent steps to pass it into a law, except introducing the Bill, as amended, in 1850? In September, 1851, he found forty-one of the hon. Members who sat opposite had met and passed a Resolution that they would not support any Government which did not make a Bill embodying the principles of Mr. S. Crawford's measure a Cabinet question. ["Hear hear!" *from the Irish Members.*] Well, it was perfectly fair and honest for them to say so, if they really believed the principles of that measure were the best—and the question the House had now to decide was whether the Bill he proposed, or that which had been introduced by the learned Serjeant, was most fitted for the object in view. Mr. S. Crawford's Bill was presented to the House and considered by them in 1848; and the only difference between it and the Bill now presented by the hon. and learned Serjeant was, that an addition had been made to the latter—the two principles of fixity of tenure and compulsory valuation. Now, if Parliament had rejected Mr. S. Crawford's Bill of 1848, *à fortiori* it must reject the Bill of the hon. and learned Member for Kilkenny in 1852, seeing that nothing had been changed in it except for the worse. He had been a party to the rejection of the former measure of 1848, along with the Secretary of State for the Home Department at the time (Sir G. Grey), who led the opposition to it, and the House pronounced against it by a large and overwhelming majority, on the ground of its interference with the rights of property. So closely did the Bill introduced by the learned Serjeant resemble the last Bill of Mr. S. Crawford, that it even copied its verbal errors. Well, then, he asked hon. Gentlemen opposite if any man, wishing honestly and sincerely to settle the question of tenants' compensation, could have adopted as a model a Bill which had been already deliberately rejected by Parliament by a large majority? The principle adopted for legislation on this subject by the noble Lord now at the head of the Government, when, as Lord Stanley, he had charge of the Bill in the other House in 1845, was, that "if the tenant does improve by the expenditure of industry or capital, he shall not be afterwards turned out penniless, and without compensation." That principle was carried out in his Bill; and Lord Devon stated in his place in Parliament at the time that the Commissioners had, after full consideration, come to the conclusion that the Bill would answer the purpose intended. Well, he had adopted that principle, and the Bill he had introduced was more liberal to the tenant than that introduced by the late Government, and approved of by the Select Committee of Irish Members; and if that were so, and if its machinery was less complicated, he thought he might escape crimination and personalities. If any one could assist him in improving or simplifying his Bill, nothing would give him more pleasure. He had laboured at it long to carry out his own views; he could not violate his opinions with respect to the rights of property; but, being honestly anxious to settle the question, and to put an end to agitation in Ireland—for there was only one form of agitation which they could afford to despise, and that was agitation without a real grievance—he had tried to carry out the principle of compensating the tenant for his improvements without any aggression on the rights of the landlord. The objections raised to the Bill, in which he had endeavoured to do so, were of two classes. First, it was said by the learned Serjeant he destroyed the the tenant-right of Ulster, and the property accumulated and acquired on the faith of it. He was surprised at such a charge; but, if so, the Bill of Lord Stanley, approved of by the Devon Commissioners, and the Bill of the hon. Member for Carlisle and Lord Lincoln, and the Bill of the late Government as amended by Irish Members, were open to the same objection. But he was the last man who could be supposed to have any motive for the destruction of Ulster tenant-right. Ulster was his native province; he was connected with it by all the ties of lineage, of early life, and of professional exertion. If his Bill would destroy tenant-right, it was strange he had heard no observations to that effect from hon. Members connected with Ulster, or representing counties in that province. As to that tenant-right, he would ask how his Bill or any Bill could destroy it? He denied that the tenant-right of Ulster had been properly defined by the learned Serjeant, who had, in fact, totally mistaken what the tenant-right of Ireland was. He held in his hand a pamphlet published by the hon. and learned Member for Cork, in which he quoted the words of Arthur Young in 1766, showing how the tenantry of Ulster then cultivated, or rather "barrened" the land, uniting with such cultivation the labour of the loom. By degrees, as the province become prosperous by its trade, competition for land increased, and the custom sprang up of paying the outgoing tenant for the interest of his farm—a custom which the landlord often encouraged, as the outgoing tenant often paid him the arrears of rent out of the money so received by his successor. It was not to be supposed that the prosperity of Ulster was caused by tenant-right—neither was it that prosperity which gave such a value to the land as to render the interest in it worth paying for. He knew cases where the custom had operated in the most injurious way—where a tenant in arrear, for example, sold his farm to the best bidder, who then came into possession, and was unable to cultivate it properly from the want of capital, as he had expended it all on the purchase of the good-will. The relation between landlord and tenant in this respect was much better managed in Scotland. There it was, as had been observed in a most excellent letter he had received from a very sensible gentleman, well informed on the subject, a matter of contract at the beginning of the term what the improvements were to be, and who were to make them, instead of being a scramble between landlord and tenant at the end of it. There was a great difference of opinion as to the meaning of tenant-right as used by different parties. He contended that the only thing the House could justly legislate for was compensation for the tenant's improvements; and, if he confined himself to that, was he to be told that he could not legislate justly without destroying the Ulster tenant-right? That right had not been created by Act of Parliament, and it ought not to be interfered with; but if hon. Gentlemen thought his Bill would affect it, he had no objection to the insertion of a clause in his Bill providing that its enactments should not affect any existing custom in any part of Ireland. In the views he had carried out, he was supported by the admirable report of the Society of Friends, and the report of the Devon Commission. In the Bill he had introduced, he was fortified by the opinion of that House, by legislators, wise men, and philanthropists, and he was, above all, justified by their deliberate judgment in refusing to interfere with the private dealings and relations of landlords and tenants. Next he came to the charge against his Bill of complication of machinery. In the first place, he would say he had no objection whatever to amend it in that point, and if any one could show him any machinery more simple and efficacious, no one would be more delighted than himself—for what object could he have in using any machinery but that best adapted to carry out the principles of his measure? But it was a difficult thing to deal with; it was difficult to legislate in such cases between tenants for life and remaindermen and reversioners; and in such complicated cases, and to provide against fraud, they must take care that the law should carefully supervise those improvements for which the law forced the landlord to make compensation. Now, he would say that the machinery proposed by Lord Stanley's Bill was more complicated than that of the Bill he had introduced, and that he could compare the present measure, on that point, with the Bill of Lord Lincoln and Sir James Graham, or with the Bill of the late Government, on which there was the greatest unanimity of opinion on the part of the Irish Members. He confidently appealed to his Bill to show how much more favourable he was to the tenant than the authors of any of those measures, and that its machinery was more simple. As a proof of that, indeed, he might remind hon. Members opposite that he had been charged with communism. He did not regard such charges. He was persuaded that if a man acted honestly, though he would not escape abuse, the good sense of the public would in the end do him justice. He had had no object but to make his Bill as complete as possible, and in that attempt he had received the assistance of eminent men, and amongst others two of the learned Commissioners of the Encumbered Estates Court, and he had received the assurances of Mr. Griffith that he approved of every one of his Bills. He had also received a letter from tenant-farmers in the north of Ireland expressing a decided approval of the Bills, and thanking him for introducing them. It was worthy of remark, too, that in the report of the Board of Works, which was issued about a week ago, it was stated that in some places the small tenant-farmers, with that quickness which characterised the Irish, had by their own skill and industry acquired a sufficient knowledge of the system of drainage which was carried on under the inspection of the Board of Works to enable them to execute the drainage of their own farms, but that, not being in the position of owners, they were not qualified to obtain loans for the purpose of carrying out those improvements under the existing Act. Under this Bill of his (Mr. Napier's), however, these small tenants would be enabled by their own industry to execute the necessary improvements on their farms, and at the same time to secure to themselves adequate compensation. He maintained, therefore, that so far as his Bill operated, it must be beneficial to the tenants of Ireland; and he believed that the more it was examined and understood, the more satisfied they would be that he had done all for them that was possible. Now, Mr. S. Crawford, who was examined before the Devon Commission, stated his great object to be a practical prolongation of tenure, founded on valuable improvements made by the tenant. This he proposed to effect by giving the tenant power to claim compensation, and that the landlord might pay by prolonging the tenure rather than by money; the more substantial the improvements, the more likely to end in such prolongation of tenure. Mr. Crawford also thought that with yearly tenants the plan of having the improvements valued on completion might properly be adopted; and he stated his opinion that the continuance of possession at a fair adjusted rent would in all cases afford compensation and a sufficient return to the tenant for any calls upon him. In reply to the question, "Are you prepared to state specifically the mode in which that part of your system, the adjustment of rent, could be carried out?" Mr. Crawford said—"I am of opinion that it is a thing which cannot be done by compulsory enactment." Now, those words ought to be printed in letters of gold. Mr. Crawford then added that by establishing a correct public valuation, a basis for amicable adjustment would be formed, which would gradually be adopted. This subject had also been handled by the hon. and learned Member for the county of Cork (Mr. V. Scully), in a work published so recently as 1851, in which he properly separated the temporary and the permanent evils to be remedied, and suggested the special consideration of special cases of hardship since 1846. The two branches, he said, rested on different grounds, and should be kept wholly distinct. He referred to a letter of Mr. Sharman Crawford, published in April, 1851, in which, speaking of compulsory valuation, he said—

> "If a principle affecting in so strong a manner the rights of property be brought before the Legislature, the favourable position will be lost. The contest will be recommenced on what I fear is an untenable position."

Mr. Scully spoke of compulsory adjustment as likely to be regarded by the Legislature "as an unjust and visionary scheme, calculated to interfere unduly with private contracts." He said—

> "It will be for the advantage of each industrious tenant to feel assured that the idea of now forcing all owners or landlords to part with their lands for *maximum* rents or fines, to be fixed by public arbitrators or by juries of farmers, or through any other mode of compulsory valuation, is one of those delusions which can end only in the sacrifice of the attainable for the unattainable, of the substantial benefit for the impracticable scheme. For these and other obvious reasons, it is the plain interest of the tenant class to abandon an idea which in principle is utterly unsound, and in practice would prove most injurious to both landlord and tenant, and possibly end in a depopulation of the country."

He had then the opinions both of Mr. S. Crawford and of the hon. and learned Member for the county of Cork, that they ought not to disturb the integrity of the contract between landlord and tenant, or to interfere unduly with the rights of property. The late Sir Robert Peel, who was a great authority on matters of this kind, stated, when he assented to the appointment of the Devon Commission, that he would not allow it to go forth that there was any intention whatever of interfering with the rights of property, and he added that such interference would inflict a most serious blow upon the industry of the country. For his own part, he (Mr. Napier) must say, that he would not introduce any Bill which he believed in his conscience and judgment would violate that principle, and he considered that to endeavour to adjust rent by compulsory valuation would be an invasion of those rights. What he had done was this. He had endeavoured to promote the interests of the tenant in possession, and had not unduly fettered him in making improvements. There were certain classes of improvements, which, on principles of public policy, ought to be made either by the landlord and tenant jointly, by contract, or by the landlord if he chose to undertake them himself; but if the landlord did not choose to effect them, he (Mr. Napier) thought that the tenant should not be prevented from making them, because they were connected with the beneficial cultivation of the land. He considered it a fair and just principle that a man who made such improvements should be allowed to look to others, who were to share the benefit, for some compensation. Now, he (Mr. Napier) thought that he had carried out Mr. S. Crawford's suggestion by securing to the tenant the possession of his farm, when improvements had been made, until such a period had expired as might be fairly considered a compensating period for those improvements; and if the tenant was interfered with by the landlord before that period expired, he (Mr. Napier) would give the tenant the value of the unexhausted term for that compensating period. Now, with regard to the class of improvements to which the Bill related, he would not attempt to place his own opinion in competition with that of those who were practically acquainted with the subject; but he had endeavoured to obtain the best information he could acquire, and he invited suggestions in Committee from any quarter. If any other classes of improvements could be introduced into the Bill, he would at once say let them be candidly considered, and, if they were deemed wise and just, by all means let them be included in the measure. If the periods he had fixed upon were too short, let them be extended; if the machinery he proposed was too complicated, let it be simplified. No one would be more delighted than himself if the measure could be rendered more just towards the tenantry of Ireland. He believed he stood in this position, that he had not introduced into his measure a single principle that had not, at one time or other, received the sanction of Parliament. He had thought it better to adopt that course than to propose any measures which, though they might please persons out of doors, might have the effect of perilling the rights of property. He would now take leave to offer a few remarks with reference to the Bill of the hon. and learned Member for the county of Kilkenny (Mr. Serjeant Shee). The Bill of 1843, which was presented to the House by Mr. Sharman Crawford, and which led to the issue of the Devon Commission, did not say one word about enabling the tenant to force a surrender on his landlord, but provided that when a tenant should be required to pay an increased rent, or should be served with notice to deliver up possession, he might claim compensation for certain classes of improvements, and for this purpose very complicated machinery was proposed. He did not agree with the statement of the hon. and learned Gentleman as to the tenant-right custom of Ulster, because he thought the hon. and learned Gentleman's statement involved the principle of the compulsory valuation of rent.

Mr. Serjeant SHEE said, the hon. and learned Gentleman was entirely mistaken. The words "fair valuation" in the recital of the tenant-right custom of Ulster, meant a valuation which was, in point of fact, fair.

Mr. NAPIER: Well, in fact fair. That was still a matter of opinion; but he had always been opposed to any interference as to the question of rent between landlord and tenant. In fact, he regarded rent as a matter of contract—a commercial transaction between landlord and tenant. He might, indeed, appeal to the evidence of Mr. Sharman Crawford himself, who said that the adjustment of rent was a thing that could not be effected by compulsory enactment. Now, how did the hon. and learned Member propose that the fairness of the valuation should be decided? By arbitration. The landlord and tenant were to appoint arbitrators, who would of course be mere partisans, receiving instructions from those who appointed them. Well, if they could not agree they were to appoint an umpire, and, if no decision then took place, the matter might be brought before the Assistant Barrister, and either party might require a reference to a jury. Now, the hon. and learned Member for the county of Cork had said that such valuation, whether by arbitrators or by jury, was a delusion. [Mr. V, Scully observed that, in the very next page of his book to that in which he condemned the system of compulsory arbitration, he said that the custom of Ulster ought to be legalised.] He (Mr. Napier) further objected to the Bill of the hon. and learned Member for the county of Kilkenny, because it presumed all the improvements to be the property of the tenant. He (Mr. Napier) was perfectly willing that the tenant should get the value for the compensating period, but he could not consent to make the improvements effected upon the soil the absolute and unqualified property of the tenant. The 10th section of the Bill provided that tenants might serve notice of surrender with a demand for a reduction of rent. Now, he (Mr. Napier) thought he had given the full benefit to the tenant in this way—that if the landlord sought to increase his rent by giving the tenant notice to quit, the tenant was secured in possession at the rent at which he then held if the landlord did not pay the sum awarded as compensation. He begged to say plainly and honestly that he could not see his way to the adoption of the principles of the Bill of the hon. and learned Member for Kilkenny; but that, having taken up principles which he had found already embodied in previous Bills, and which had met his own approval and conviction, he had endeavoured to work them out liberally towards the tenant. He had anxiously devoted himself to this subject long before he was or expected to be connected with the present Government; and he appealed to Gentlemen on both sides of the House who wished to see a good tenant law, and who wished to see the question speedily settled by Parliament, to abandon all personal recriminations—which only retarded useful legislation—and join with him in the honest endeavour to secure a good agricultural code for the people of Ireland. If they did so, and if the law when passed were impartially administered to all classes of the community, as he doubted not it would be, he should not despair of yet living to see the day when their proceedings would contribute to the substantial good and prosperity of Ireland.

MR. LUCAS said, he quite agreed in the spirit of the appeal which the right hon. and learned Gentleman the Attorney General for Ireland had made to both sides of the House in his closing remarks; but he must say, that in making that appeal the right hon. and learned Gentleman had not done justice to the remarks which the hon. and learned Member for Ennis (Mr. Fitzgerald) had made in introducing the subject that day to the notice of the House. He (Mr. Lucas) did not understand the remarks of that hon. and learned Gentleman as having been made in a spirit of angry recrimination at all; neither did he understand him as having made any charges against the right hon. and learned Gentleman; but what he understood the hon. and learned Gentleman to say was this—that Her Majesty's Government had placed this question in a peculiar position, which required a distinct and explicit explanation; and in a spirit of perfect fairness he called for that explanation, which he (Mr. Lucas) was sorry to say had not yet been given. The question which the hon. and learned Gentleman had asked was this: It had been agreed on the appeal of the hon. and learned Gentleman the Member for Kilkenny (Mr. Serjeant Shee) to refer the four Bills which the right hon. and learned Gentleman had brought forward, and the Bill which came from that (the Opposition) side of the House, to a Select Committee. It had been understood that that Committee was to be a fair and impartial Committee; that it was to be perfectly free and unfettered as to the conclusions at which they should arrive; and that the Government were also to be unfettered as to their power of approving of those conclusions, if they should find them to be reasonable. But how did the matter stand now? It appeared that the noble Lord at the head of the Government, in answer to a question put to him in another place, had stated that if the decision of the Committee should turn out to be of a certain complexion—however it might be supported by evidence and reason—that was a conclusion against which the Government was now and would be for ever absolutely pledged. Now, this had entirely altered the state of the case; and it was important therefore to know whether he and others were mistaken in supposing that such was the fact. He wished to know, then, from the right hon. and learned Gentleman whether the inquiry was really to be an illusory one, or a *bonâ fide* and satisfactory inquiry? The right hon. and learned Gentleman had referred to a resolution which many Members of that House had adopted at a meeting in Dublin. He (Mr. Lucas) adopted that resolution, and was ready to maintain it. He believed that the principle of Mr. Sharman Crawford's Bill was absolutely and indispensably necessary to the permanent and satisfactory settlement of this question; but would he, therefore, go into the Committee pledged against inquiry, determined not to allow any new light to enter his mind on the subject, and to resist every evidence that could be offered to him? Nothing of the kind. He should enter into the Committee in no such spirit, but the very opposite; and he wanted to know if Government were ready to do the same? The reason why he objected to the Bill of the right hon. and learned Gentleman might be described in one word. He, and he believed those who acted with him, wished to have a measure of conservation. In other words, they desired to have a liberal and conservative reform, and they objected to the Bill of the right hon. and learned Gentleman, because they believed it was a measure which, in its whole essence and character (excepting one or two good principles which lay at its base without producing any effect on the superstructure), was not liberal and conservative, but illiberal and revolutionary. The difference between a conservative and a revolutionary measure, according to his idea, was this, that the one took into account that which already existed, and, while cautiously and skilfully pruning away whatever of evil might be found to attach to it, endeavoured, with equal caution and skill, to develop to the fullest extent all that it contained of good—while the other proceeded on the opposite principle. Now, he objected to the Bill of the right hon. and learned Gentleman, because it took no account of the past circumstances of Ireland; because it was founded mainly upon abstract principles, and endeavoured to introduce a new order of things which had no basis in Irish habits or Irish society. Circumstances which might be true in England or Scotland, and which might properly determine the compensating period, did not exist in Ireland, and could not be applied to that country without producing confiscation. He had no charge to make against the Devon Commission, but the case of the tenant had not yet been stated fairly. The subject was distasteful to the English people, because they had been led to believe that the Irish tenant-farmer was a listless, unimproving sort of person, and they were apt to imagine that the best Landlord and Tenant Bill that could be framed for Ireland would only be labour thrown away. The right hon. and learned Gentleman had frequently referred hon. Members to a book which had been brought out under his superintendence, and which he adopted as his own. That book contained an assertion to which he wished to call the attention of the House for a moment. In the Report of the Devon Commission, or in the Digest, he forgot which, it was stated that it was a very doubtful point whether the landlord laid any portion of the rent on the improvements of the tenant. But the book which was written under the superintendence of the right hon. and learned Gentleman went further than this, and converted the indication of doubt into a positive assertion, that very few cases of the kind existed. Now, this was an assertion which had been so notoriously falsified by abundance of evidence, that he wondered any one could be so misled as to put it upon paper. In 1780 Arthur Young estimated the whole rental of Ireland as under 6,000,000*l.* sterling. What was it now? According to the best authorities, it appeared that even after the famine it was near 12,000,000*l.* [*Murmurs of dissent.*] According to the poor-law valuation of 1850 it was 11,923,459*l.*, and the actual rental would of course be greater than these estimates from valuations. Well, whence did this increase of 6,000,000*l.* arise? It must have arisen from improvements on the land effected by somebody. Every one admitted that the landlords had not made them, and there could not be a shadow of doubt, he thought, that they had been made by the tenants. Well, how did the case stand as regarded England? In Porter's *Progress of the Nation*, a work which was considered a great authority on statistics, it was stated that, "with scarcely any exception, the revenue drawn in the form of rent from the ownership of the soil has been at least doubled in every part of Great Britain since 1790." That was to say, that the rental in Great Britain and Ireland had increased in precisely the same proportion. But he begged the House to bear in mind that in England the improvements on the land had been effected by the combined exertion and enterprise of landlord and tenant, whereas in Ireland they had been effected by the unaided, depressed, discouraged, much-abused, and calumniated tenantry. In Ireland the tenant alone—the tenant whom it was the fashion here to calumniate and despise—["No, no!"]—yes, it was the fashion of writers of all shades of opinion to calumniate and despise him, and recently, in discussion respecting this measure, he had been described as listless and improvident, one whom no encouragement could make to improve; and it had been stated by important journals in this country that there was no danger that he would "improve the landlord out of his property"—this calumniated and despised tenant, who lived in a miserable dwelling, because he dared not live in a better, lest extortion should fix its fangs upon him more deeply if he appeared to possess any wealth, and who wore frieze in many instances because the landlord said, "No tenant of mine shall wear broadcloth;" the tenant, weighted with impediment, and subjected to difficulties, had increased the rental as much as landlord and tenant co-operating had done in England. Arthur Young estimated the rent of land in Ireland in 1780, taking good and bad together, at 6*s.* 4*d.* per English acre; it was difficult, in consequence of the famine, to ascertain the rent in 1850, but before the famine M'Culloch and others estimated the average at something like 16*s.* or 17*s.* Arthur Young, after very careful calculation and inquiry, estimated the produce of oat and barley land in 1780 at 28¾ bushels per English acre; the accurate returns of Captain Larcom for 1850 showed 38¼ bushels for oats, and for barley 39¼. This enormous increase, which was due almost exclusively to the industry, enterprise, and thrift of the much-calumniated Irish tenant-farmer, made the state of the crops bear comparison with those in England. M'Culloch gave the produce in England in 1841 at 36 bushels per acre for oats, and 32 for barley; the work entitled *British Husbandry* put oats at 32 bushels, and barley at 36; Mr. Caird, the *Times* Commissioner, the latest writer on the subject, put the produce higher; but though, according to him, it was greater in oats, it was less in barley than in Ireland: taking the three authorities, the average to be derived from them was 37⅓ bushels of oats, and 35½ of barley per acre, both being below the amount of produce per acre in Ireland. It was thought here that the Irish farmer knew nothing about green crops; but Captain Larcom's statistics, compared with those of England, showed that the proportion of green crops to grain was as great in Ireland as in England. M'Culloch stated the number of acres in England under wheat, barley, oats, rye, beans, and peas in 1841 at 7,700,000—Mr. Caird, in 1851, at 7,972,500; the number of acres under potatoes, turnips, and other green crops was stated by the former at 1,200,000, and by the latter at 3,416,750. In Ireland, according to Captain Larcom, in 1850, there were 3,149,556 acres under wheat, oats, barley, bere, rye, beans, and peas, and 1,317,572 acres under turnips, mangolds, potatoes, and other green crops. To take another point; his object being, as the black and bad side of the agricultural system in Ireland had been generally presented to the British public, to show that there was a good side to be encouraged and developed, lest Parliament should legislate in ignorance of it, and be destroying that which was not merely valuable but invaluable. A Committee of that House which sat in 1830 on the state of the Irish poor took evidence which showed that very considerable improvement had then recently taken place in farming, and particularly in farming implements—ploughs, harrows, &c.—everything that spoke of an active, industrious, improving class, a class ready to improve, though with the prospect of being deprived of the fruits of their industry; a class whose good qualities the right hon. and learned Gentleman should recognise and encourage, and not treat them as a class out of whom very little good was to be got, and from whose hands the power of improvement and the machinery which was to give the reward for it should be taken, to be placed in the hands of the landlords, who as a class had made no improvements and done nothing, and to whom if it had been left the land would have been as barren now as 200 years ago. One of the witnesses, a large land agent, said, "I think the improvement of Ireland has been more rapid than any improvement I ever saw in England in any large tract of country." He was speaking of a term of ten or fifteen years; and supposing that there was some exaggeration, still there must have been great improvement. He (Mr. Lucas) had inquired a little into the progress that had been made in some districts in regard to agricultural implements, because progress in this respect would show that the tenant was anxious to improve, and was in himself a machinery of improvement which it would be well not to disregard. To take an instance—Callan, in the county of Kilkenny: some thirty years ago the agricultural implements in use were of the very rudest description. There was the old common wooden plough, which was superseded by the Scotch wooden plough, and that again by the iron plough, now become universal. An old man, still resident in Callan, about twenty-six years ago made the first iron plough in that part of the country. Since then he had made about 870, another blacksmith 700, another 36, besides iron harrows and other agricultural implements. He (Mr. Lucas) was not pretending that Irish agriculture was on a level with English; but he wished to show that the Irish tenant-farmers had made every effort which they had the means of making, and very much more than they had any encouragement in making, and that if we did not disturb the existing system of improvement which had been but momentarily disarranged by the famine, and if the right hon. and learned Attorney General for Ireland would but let them call that which was their property their own, and allow them that security and encouragement, there was an immense and magnificient machinery of improvement at work upon the soil, and that to interpose obstructions and restrictions, thinking to take improvement out of the hands of the tenant and put it into the hands of the landlord, would be doing an unmitigated evil. He had made inquiries with respect to particular counties in detail. He had had the means of making them best in Kilkenny. He had been enabled to obtain Mr. Griffith's last valuation of several baronies, separating the value of the land from that of the buildings. He found there a large estate, the buildings upon which, according to Mr. Griffith's valuation (which was much below the actual cost and value), were of the annual value of 2,178*l.*;

and how much of them had been erected by the landlord? Just three houses, the value of which was something less than the odd 178*l.*, and buildings worth 2,000*l.* a year had been added to that estate exclusively by the tenants. He had found the same thing in other baronies. The annual value of the land in four baronies in that county, excluding the city of Kilkenny, was given at 132,124*l.*; and of the buildings, 23,986*l.*: taking the rest of the county and dividing the value between land and houses in this proportion (excluding the city), the value of the land would be nearly 300,000*l.*, and of the buildings, 53,000*l.* He had inquired what proportion of the annual value of the land itself, as distinct from the buildings, had been created by improvements made by the tenants; and, after comparing the answers he had obtained, his conclusion was, that in that county the value of the land had been doubled since 1780, the period when Arthur Young wrote, by the tenants—that half its present annual value had been created by them, and all but a small percentage of the buildings. Such an immense amount of property called for great caution in dealing with it. As these buildings were estimated very much under their real value, the annual estimate might be taken at thirty years' purchase; and, taking the tenants' share of the land at twenty years' purchase, you had in the county of Kilkenny property created by the tenants to an enormous amount—no less than 3,000,000*l.* in land, and 1,500,000*l.* in buildings. To come now to the proposition about compensating periods, the principle of compensating periods applied to Ireland as to England. A man in England who got a building lease of a plot of ground paid, say 10*l.* a year, for so many feet of frontage and depth, and upon that he built a house which he could let during the term of his lease for, say 40*l.* or 50*l.* a year. The possession of a house during a long building lease would enable the owner to get sufficient rent, not only to cover the interest of his capital, but also sufficient to enable him to create a fund sufficient to replace the capital he had expended after a given number of years. He had two things, therefore, to depend upon—first, the contract under which he held the property that produced the rent, and which was a security that all the powers on the face of the earth could not touch; and, secondly, the ability which that contract gave him to secure the replacement of his capital. Now, was that the case in Ireland? It was said that the Irish tenant was left in possession of his improvements, and that if he was so left a certain time, that was in itself a compensation. But he said in Ireland the landlord was the person in possession, and not the man whose capital and industry had made the improvements. The possession belonged to the landlord, who took out by a rack-rent not merely the natural value of the soil unimproved, but also the worth of every improvement the tenant made. At the end of the period, when the industrious improving tenant had lived like a serf, sometimes like a pig, and with a pig, in something little better than a sty, had lived hardly, not eating meat more than eight or ten times in a year, the right hon. and learned Gentleman would turn round upon the man who had been robbed of everything, and from whom the landlord had exacted year by year, not merely a high rent for the land in its natural state, but every farthing he could for the very improvements he had made upon it, and the man was to be told that the privilege of having been robbed for seven, fourteen or twenty-one years was compensation for his improvements. ["No, no!"] Some hon. Gentleman seemed to think the picture too highly coloured. What said the Encumbered Estates Commissioners in their Report of May, 1851? Speaking of Clare, Limerick, Tipperary, and Mayo, they said—

> "In these counties the rents reserved are generally so disproportional to the value as to afford no true measure of the income derivable out of the lands." And, again, "As to the rates of purchase generally, it is fallacious to estimate the number of years from the published rentals, which usually represent the rents of 1845 and previous years, and which in many instances were even then excessive, and far beyond any sums that could possibly be collected from the tenants."

Far beyond what could "possibly be collected," even taking into account the increased productiveness of the soil created by the tenants. He (Mr. Lucas) had inquired about the rental of land in other counties than Kilkenny, and the answer he got was, that even with good landlords, in whole districts of Ireland, where very considerable improvements had been made, the custom was to put an impossible rent upon the tenant. ["No, no!"] He was not saying it was universal; there might be many exceptions; but he was speaking of particular districts, large districts, which would be affected by this Bill. He had in his mind a landlord whose general character he respected, in intention an extremely good landlord, who, he was told, in common with his whole class in the district, put impossible rents upon his tenants as a system. The difference between good and bad landlords was, that the good landlord did not actually attempt to enforce the rent, but left it hanging over the tenant; while the bad landlord did so attempt, at least if he had a motive, as, for instance, when an election occurred. If from any cause the tenant did not conduct himself as the servile tool of the landlord, the arrear of this impossible rent was demanded —a matter which (the subject of arrears) was to be dealt with by this Bill, he was glad to see, to a certain extent. What could you make of a "compensating period" under such conditions? He (Mr. Lucas) had made inquiries with respect to various estates in the county of Kilkenny. In regard to one property, he had an account of thirty-one tenants upon seven townlands, where the landlord was tolerably popular, and the estate really well managed; the land was not peculiarly fertile, it was mountain land. The rent for the whole seven townlands before 1790 was, as far as he could ascertain, about 320*l.*, and he believed that was very nearly the fact; that was about 8*s.* 8*d.* per Irish acre. The highest rent during the war was 846*l.*, or 22*s.* 10*d.* per Irish acre. The rent now was 675*l.*, or 18*s.* 3*d.* per Irish acre. Such had been the increase since 1790, where no improvement whatever had been made by the landlord. The tenants themselves had made all these improvements, and they were paying now 18*s.* 3*d.* upon their own improvements. What did they consist of? Nineteen of those tenants had built slated houses, several of them two stories high; sixteen had drained with stone drains 240 English acres, or one-fifth of the whole; twenty-three of them, or their predecessors, had reclaimed from bog or rock at least 500 English acres. The buildings were valued at 127*l.*, and this must have cost the tenants at least 4,000*l.* [Lord NAAS: What is the name of the townland?] He would have no objection to name the townland, if the noble Lord would promise him a fair and searching investigation into the whole matter, but not otherwise. To mention the name of the tenants might do them an injury; but he challenged the noble Lord to investigate the case, and put him in a position to prove the accuracy of his statements. If these improvements had been made in England, it would have been said that the tenants had acted very well towards the land. Now, if the tenants, ever since 1790, had been putting that money in their pockets, he would have agreed in saying that they had replaced their capital, and that the case of the landlord had been made much stronger, that of the tenant much weaker. But it was absurd to say, that in Ireland the tenant had property in his improvements, so long as he continued to pay rack-rent. Indeed, to seize upon improvements made during the course of many years, through all which the tenant was subject to a rack-rent, was nothing more than confiscation. The best test of the rack-rent system was to be found in the circumstance that in cases where tenants had emigrated to America, the landlords had afterwards been obliged to let their farms, with all the improvements, to persons who paid a less rent than their predecessors, the improving tenants. The result as regarded tenants in the part of the country to which he had alluded was summed up in the following words by his informant: "Notwithstanding the visible improvements of the tenantry, they were never so poor as they are now; they are now worse off than their fathers were who followed the old common plough." He (Mr. Lucas) had particulars of several other estates, but he would bring before the House only one more case in which the tenant had been deprived of a return for his improvements. There was a town in Ireland near which was some common land, which was described fifty years ago as the receptacle of all the bad characters of the neighbourhood. Since then the land had been improved by tenants settling and appropriating patches of it, from two to ten acres in extent. One of these tenants, who had got a patch of about 6½ acres, half of which was at first under water, and the remainder uncultivated, sold it, in 1846, for 143*l.* This tenant also held under a neighbouring landlord five acres of ground, at a rent of 2*l.* 10*s.* an acre, which was valued, under the poor-law valuation, at 1*l.* an acre. Several years ago it was proposed to run a canal through this land, and the opposition of the tenant to this scheme was removed by an offer of the landlord to reduce his rent by a sum of 3*l.* The landlord's promise was a verbal one, and was kept for some years; but a new agent becoming manager of the estate, the promise was broken, and the original rent exacted from the tenant. The tenant did not succumb to his difficulties; but as the canal had not been completed, he set to work, and after many years' labour he filled up the excavations which had been made for the canal, and by that means reclaimed an acre and five perches of land. Notwithstanding his exertions, no abatement was made in his rent, and he was at length turned out without one penny of compensation. The tenant who now occupied the same land, with all the improvements, held it at a rent of 1*l.* 10*s.* an acre. That was really not an unfair sample of the treatment of the tenants on that estate by their landlords. The tenant who had been improving and paying at a rack-rent emigrated perhaps, or was removed in favour of an incoming tenant at a less rent. He believed that the shortest period of compensation which the right hon. and learned Gentleman allowed under his Bill was seven years for drainage; but that would take them back to 1845; the seven years of compensation which the right hon. and learned Gentleman gave them included the seven years of famine. The right hon. and learned Gentleman had rested his measure entirely on the similarity between the state of capital in England and Scotland and in Ireland; but there was in fact no similarity under heaven between the two cases, and no rule could be laid down for Ireland from the state of capital in England and Scotland. With regard to the question of the Ulster tenant-right, he must say that the provisions of the Bill of the hon. and learned Member for Kilkenny relating to that subject, depended not so much upon the recital as upon the enacting part of the Bill. The right hon. and learned Attorney General for Ireland said, that he differed from their definition of what the Ulster tenant-right was. He (Mr. Lucas) did not care if that definition were struck out of the recital of their Bill, for it did not touch their case. What they said was, that if there was a custom in the north of Ireland which gave the tenant anything over and above the value of his improvement in the land, he should have the advantage of that custom, varying, as it might, on different estates and in different districts. The same state of things existed in England, and it was a well-known fact, that in this country there was no difficulty in establishing a local custom by evidence adapted to each locality. The Ulster tenant-right must be treated in the same manner as a custom which varied in different localities, and required to be established in each locality by special evidence. Here was a custom by which millions of property had been created. Let it be made a fair subject of investigation what the custom was, what was its value, and what its right, and let the tenant be told that he must establish his case by proper evidence before he should get one shilling from the pocket of the landlord. He (Mr. Lucas) would feel extremely indebted to the right hon. and learned Gentleman if the Ulster men could get a satisfactory Bill to secure their improvements, and he thought they would be glad that their part of the case should not be omitted from the discussion. Give them compensation which would be really compensation, give them a retrospective measure which would be really retrospective, for all the Bills previously introduced on this subject had been bad, because the case of the tenant had not been kept in view; and as the right hon. and learned Gentleman, by the retrospective clause of his Bill, abolished all adequate compensation for past improvements, so by his prospective clause he would render it impossible for improvements to be carried on in future, for no tenant would improve under the system proposed by the right hon. and learned Gentleman. For the last fifty years it had been always said, that the landlords of Ireland were beginning to make improvements; but by some extraordinary fatality, they had never yet arrived at any result. They had always made great professions; but they had never said a word of the constant, persevering, unobtrusive improvements affected by their tenantry, to which he (Mr. Lucas) had alluded that day. The right hon. Gentleman the Attorney General for Ireland had produced a Bill, which was based on complete and undeniable ignorance of every fact of the case which bore upon the subject. He (Mr. Lucas) stated this as a fact, and not with any view of giving offence to the right hon. and learned Gentleman. They must choose between compensation periods and the admission of an absolute property by the tenant in his improvements. They had no alternative, there was a debt which must be paid, and as it could not be paid by compensation periods, they must pay it by giving the tenant an absolute property in his improvements. He would beg leave most earnestly and unaffectedly to suggest to the right hon. and learned Attorney General for Ireland that he should employ the time during the recess, before this Bill went before a Select Committee, in maturely and anxiously considering the question of compensation periods, and if he would do so they might go into Committee with some chance of good results, which otherwise they could have no hope of arriving at. He (Mr. Lucas) would put into the right hon. and learned Gentleman's hands all the evidence that he could collect, in order that the subject might be fairly and fully investigated, and as he and his friends would be ready to receive all the conviction which the right hon. and learned Gentleman could bestow upon them, so they had a right to expect that the right hon. and learned Gentleman would enter into the Committee with the same feeling, and that he would give them credit for not wishing in any way to violate the rights of property, as they were willing to give him credit for not desiring to confiscate the rights of the tenant. They came there for the purpose of granting fresh security to property, and were all anxious that there should be no confiscation. If the right hon. and learned Gentleman desired to raise an everlasting and enduring monument to his name, if he possessed the honourable ambition of settling this question permanently in Ireland, and breaking up the bloody feuds and discords which, through this question, had defaced that beautiful country, they were prepared to enable him to write his name as the author of that settlement, which he (Mr. Lucas) believed would hereafter prove the source of a greater benefit to Ireland than had ever been conferred upon her before.

Mr. H. DRUMMOND said, that the hon. Gentleman who had just sat down had made a very important speech, and one filled with very interesting and instructive details. But he did not exactly know what was the immediate object which the hon. Gentleman wished to attain. As far as he could understand, it would appear that the hon. Gentleman wished for a Select Committee to inquire into the entire condition of the tenants in Ireland; but he (Mr. Drummond) had no hesitation in saying that if they were to take no step in that matter until after such a Committee should have concluded its labours, they could make no attempt, in the course of the present Session, to amend the laws which regulated the relations of landlord and tenant in Ireland. He believed, too, that such an arrangement would be wholly unnecessary. For his own part he was ready to admit everything which had been said both with respect to Irish landlords and Irish tenants by the hon. Gentleman. He admitted that they had then before them the complaints of a very large body of much-injured men. It appeared from a statement made the other evening, that the number of tenants in Ireland holding portions of land under thirty acres amounted to 430,000; and he would grant that all that was on their holdings was of their own creation, and that they ought in some way or other to be secured in its possession. But he was at a loss to understand what there was in the condition of landlords and tenants in Ireland which made their relations different from those of landlords and tenants in any other part of the world, and which rendered it impossible that they could make just arrangements among themselves. If that were a Bill for regulating the relations of landlords and tenants in England, he should give it his most unequivocal opposition. But if Irish landlords were unlike all English, Scotch, Dutch, French, and Chinese landlords, which it seemed they were, they must really take the consequences of their own acts. There was a proverb, that as you made your bed so you must lie, and as they had got themselves into this difficulty, he thought that they could not come with a good grace to the House of Commons to get them out of it. The hon. Member for Meath (Mr. Lucas) had spoken of what he called "revolutionary principle;" but he (Mr. Drummond) thought that that principle was equally apparent in this Bill and in the Bill of the Attorney General for Ireland. According to the law of England, whatever fixtures were on the land belonged to the landlord; but the "revolutionary principle" which these Bills would carry out asserted that they belonged not to the landlord, but to the tenant. If Ireland was an exceptional case, then he maintained there ought to be an exceptional law and exceptional machinery which should cease together with the evils which had rendered them necessary. He had always said that they ought to leave out the word Ireland in Acts of Parliament, and that every Act should equally apply to Ireland and England. He hoped that English Gentlemen would set their minds to see that justice was done in this case, and that a remedy should be found for the evil before they came out of Committee. He trusted that they would not be deterred from doing their duty by any fear or threats, for if the best Bill in the world were drawn up, it would, doubtless, be described as Draconian legislation, and intended to exterminate the Celtic hordes, to make room for the Anglo-Saxon in Ireland. The state of the law between landlord and tenant was such that it appeared to him that something must soon be done to place matters on a more satisfactory footing. The hon. Gentleman the Member for Meath (Mr. Lucas) had told them that a period of seven years would be insufficient to afford the tenant in Ireland an opportunity of compensating himself for his improvements. But he (Mr. Drummond) had seen cases in which parties had been repaid in two years for their outlay in drainage works. He admitted, however, that it would be impossible to lay down upon that subject any general rule which would be fully applicable to all cases. He should be anxious to see some cheap machinery established by which the poor man could obtain ready and easy justice in any misunderstandings between him and his landlord. He trusted, therefore, that the Committee would enter on their labours with a determination to arrive at some practical conclusion upon that subject, and that they would not suspend their judgment until they thought they could realise the vain expectation of pleasing all the different parties whose interests were involved in the case.

Sir JOHN SHELLEY said, he thought it was important that Gentlemen connected with Ireland should know that the English Members were prepared to enter into the proposed inquiry with unprejudiced minds. They would recollect that there were two sides to the question; and while they would be anxious to give to tenants a fair compensation for their improvements, they would take care to do no injustice to landlords. It appeared to him that that discussion was in a great measure an unnecessary one, as Her Majesty's Government had in a spirit of the utmost fairness agreed to refer to the same Select Committee the Bill of the hon. and learned Gentleman the Member for Kilkenny (Mr. Serjeant Shee) and the Bills of the right hon. and learned Gentleman the Attorney General for Ireland. With regard to the question of compensation, it would no doubt be necessary to take into consideration the time which the tenant might have had for obtaining compensation for himself. In his own case, he had found that he had usually repaid himself in four or five years for his outlay in works of drainage; and unless there were something very peculiar in the case of Ireland, he did not see how those Gentlemen who represented the tenant interest in that country could complain of the compensating period of seven years being too little. He was anxious to see a fair tenant-right established in this country as well as in Ireland; but, in advocating tenant-right, he did not mean to advocate a confiscation of property.

Lord NAAS said, he should have been perfectly content to have left the subject in dispute on that occasion in the hands of the House, after the able and lucid statement of his right hon. and learned Friend the Attorney General for Ireland. His right hon. and learned Friend had gone through the details of the Bills proposed by the Government, and of the Bill brought forward by the hon. and learned Member for Kilkenny (Mr. Serjeant Shee), and had completely proved, as he (Lord Naas) thought that those two Bills were antagonistic and incompatible, and that they could not possibly both be passed at the same time into law. After what had occurred, it had become necessary that his right hon. and learned Friend should have stated positively and decidedly his opinions upon that point. His right hon. and learned Friend the Secretary for the Home Department had agreed the other evening that the two Bills should be referred to the same Select Committee; and he (Lord Naas) did not disapprove of that arrangement. He believed that the Bills, although antagonistic in principle, might be discussed with advantage by a Committee of that House impartially selected. He should feel confidence in such a Committee, and he should look forward to its inquiries without dread, because he believed that its decision must only tend to confirm the course which had already been taken on repeated occasions by the House with respect to the Bill which had been brought forward by Mr. Sharman Crawford. The present Government had felt it their duty to pursue that course in the last Session, when they had moved the rejection of the measure on the second reading. Their objections, not only to the extreme danger of the principle, but also to the details of that Bill, remained perfectly unchanged. He had in the last Session stated those objections as fully and as frankly as he had been able, and he, therefore, did not at that moment feel it necessary to repeat them. The hon. Gentleman the Member for Meath (Mr. Lucas) seemed to insinuate that the course taken by the Government on the subject was not a fair one, because those Members of the Government who had opposed the Bill last year would go into the Committee with prejudiced minds and with their opinions unchanged. But he (Lord Naas) believed that every member of the Committee would enter on the inquiry with decided opinions upon the subject, for that was no new question, but one on which almost every Member of that House must already have made up his mind. He repeated that he should have been quite willing to have left the merits of the two Bills to the consideration of the House after the statement of his right hon. and learned Friend; but many of the remarks which had fallen from the hon. Member for Meath were of so novel and extraordinary a character that he felt compelled to take the earliest opportunity of noticing them. He should really feel sorry that the claims of the tenant-farmers in Ireland were to rest on the statements which had been made by the hon. Gentleman; for he believed that never in that House had statements been made which would lead an unbiassed mind to arrive at more incorrect conclusions with respect to the real state of the land question in Ireland. He believed the hon. Gentleman had, from the beginning to the end, entirely mistaken the real state of that question; and with his allegations, as a whole, he (Lord Naas) entirely disagreed. The first part of the speech of the hon. Gentleman was devoted to an elaborate argument to show that the state of Ireland was improving. On that point he was happy to say that he was entirely of the same opinion as the hon. Gentleman. From all he had heard and seen, he had come decidedly to the conclusion that the darkest hours in the history of Ireland were past, and that there was taking place in that country, not merely a gradual improvement, but a great and a rapid improvement was spreading over the land. He saw proofs of that gratifying change on all sides—he saw proofs of it in the diminution of the poor-rates, in the better prices obtained at present for agricultural produce, in the decrease of crime, in the wholesome system of emigration at present going on. [*Cries of* "Oh, oh!"] Yes; he called it a wholesome system of emigration; and however much they might all regret the calamities in which the "exodus" had its rise, they should not forget that the people were all going to lands where their condition would be greatly improved—that they were leaving misery and wretchedness behind them, and were passing to wealth and plenty—that they were leaving potatoes and salt and water for bread and beef and beer—that they were leaving an old country where they had to pay rent for land, for a new country presenting a boundless field for their enterprise; and, above all, that they were leaving habits of indolence for habits of industry. He believed that there was hardly one of the emigrants who had not greatly improved his condition by his change of country. While, therefore, he regretted that so large a number of people should have felt it necessary to leave their native homes, he could not but rejoice at the immense increase of comfort which awaited them in other lands. The hon. Gentleman the Member for Meath seemed to say that the tenantry in Ireland owed nothing to their landlords as regarded improved modes of cultivation, and that, in fact, the landlords had only acted as a clog and impediment to any improvement.

MR. LUCAS said, he wished to explain. What he had said was, that the landlords generally in Ireland had acted as impediments to improvements. But he had not laid down the proposition to the unlimited extent which had been stated by the noble Lord. He was aware that there were some good landlords in Ireland, although they formed exceptions to the general character of their order.

LORD NAAS: The hon. Gentleman admitted that there were some good landlords in Ireland. But he also declared that in general the landlords in that country were a clog to its industry. [MR. LUCAS: Hear, hear!] The hon. Gentleman evidently adopted that statement. Now he (Lord Naas) was not afraid to meet the hon. Gentleman upon that point. To whom was owing the improvements which of late so much assisted the tenant-farmers? In point of fact, these improvements were all owing to the exertions of the landlords in their anxiety to teach the tenant the best means of improving himself. The improvement in Ireland was mainly attributable to the Agricultural Association, initiated by one of the best and purest patriots the country ever possessed, Mr. Peter Purcell. Who were the proprietors of the model farms? Who but the landlords of Ireland had expended within the last few years 2,500,000*l.* under the provisions of the Land Improvement Act, and often for the improvement of the tenants' land, and not of their own? He (Lord Nass) did not stand there to deny that there were good and bad individuals amongst the landlords of Ireland. But, as a class, he asserted that they did not merit the wholesale condemnation passed upon them by the hon. Member for Meath; and he further asserted, that the tenantry of Ireland would admit that they had derived great and solid advantages from the leniency of the landed proprietors. The Bill which the hon. Gentleman had advocated professed to aim at securing to the tenant compensation for his improvement; but the argument of its promoters was that the reason why Ireland had not kept pace with this country in the career of agricultural improvement was because the rent of land in Ireland was too high. Indeed, the hon. Gentleman in his speech avowed the same opinion, and his object, as well as the object of the Bill which he advocated, was to reduce the rents; and the avowed attempt of the society with which the hon. Gentleman was connected was, in point of fact, to do no more than to lower the rents paid by the tenantry of Ireland. The hon. Gentleman cited instances of a very extraordinary nature, and went through a long list of management of properties in the county of Kilkenny, where he said these properties had been managed by griping landlords. [Mr. LUCAS: No, no!] Yes, but they would be griping landlords to have acted in the way represented by the hon. Gentleman, for they turned out tenantry without compensation who had reclaimed land from a state of wilderness. Well, in his (Lord Naas's) opinion, no man could justify such proceedings as these; but he contended that such was not the general practice—but that, on the contrary, it was the exception to the general rule. Improving tenants were not so easily found in the present day, that they should be so treated. He had lived in Ireland all his life, and yet could not recollect one instance of such conduct from a landlord to a tenant as had been described by the hon. Member for Meath. He could cite numerous instances in which the tenantry went off, leaving the lands in a deteriorated state, and the landlords very much out of pocket. Another of the charges which had been advanced was that of calumniation of the tenantry of Ireland by the Legislature of this country. So far from the Government of this country calumniating or despising the Irish tenantry, the course which the right hon. and learned Attorney General for Ireland had taken in bringing in these Bills for the benefit of the Irish tenant, was a full and sufficient answer. His right hon. and learned Friend had given the tenantry of Ireland in these Bills that which they had long demanded, and which, two years since, they, as a body, never expected they would receive. All the information which reached him (Lord Naas) from Ireland in reference to these measures of his right hon. and learned Friend was most satisfactory, and numerous letters had been received by him, stating that the tenant-farmers entertained a warm hope that the measures would be carried. So long had that class of the Irish people been deluded and disappointed by projects —which though sometimes admitted, could never be carried—that they were now pleased at the substantial measure which had been brought in by the Government itself, and which—whatever its details—would ensure to the improving tenant certain compensation for the improvements made by him. Having said thus much in reply to the observations of the hon. Gentleman (Mr. Lucas), he would now proceed to call the attention of the House to the question more immediately before them—namely, whether they should refer these Bills to a Select Committee. He could not conclude without expressing his opinion as to the differences that existed between the Bill of the right hon. and learned Attorney General for Ireland, and that of the hon. and learned Member for Kilkenny. The Bill of the Attorney General went on this principle, and on this alone, that compensation to the tenant should depend solely and entirely on the improvements made by him. That was a sound and wholesome principle, and gave every encouragement to improvement consistent with the rights of property. But the Bill of the hon. and learned Member for Kilkenny affirmed a different principle—it legalised the tenant-right prevalent in Ulster, and threw entirely overboard the question of improvements; because it must be remembered that tenant-right did not depend on improvements. They could lay down no law as to the value of the tenant-right; because its value varied in every parish; and although the tenant-right might or might not be of greater value where the tenant had made improvements; yet it did not always or necessarily follow that the improvements would raise the value. The Bill of the hon. and learned Member for Kilkenny distinctly laid down the axiom that everything found on the land that could be termed an improvement, whether it was made by the existing tenant or by his predecessors, was to be taken and treated as the property of the tenant, leaving, in fact, to the landlord nothing but his right to the land in a state of nature, or as it came from the hands of the Creator. But his right hon. and learned Friend's Bill, professing only to deal with the actual improvements made by the tenant as the tenant's property, was by far the more just and equitable measure of the two. Again, the Bill of the hon. and learned Gentleman (Mr. Serjeant Shee) would also give the tenant the right at any moment to bring his tenancy to a conclusion, and enabled him to take the initiative in compelling his landlord to submit to an arbitration with respect to improvements, and sundry other matters, which would be little short of communism, or a transfer of the property of the landlord to the tenant. Therefore he (Lord Naas) preferred the Bill of his right hon. and learned Friend the Attorney General for Ireland. The hon. Member for Meath (Mr. Lucas) had stated that the landlords of Ireland owed to their tenants no less a sum than 5,000,000*l.* sterling annually as compensation for improvements—

Mr. LUCAS said, he must beg to correct the noble Lord. He (Mr. Lucas) had given the House his own estimate of the aggregate amount of the property created in Ireland by the improvements of tenants; but as to the equity of the matter between the landlords and the tenants he had not expressed an opinion.

Lord NAAS: Even upon that qualified statement of the hon. Gentleman he believed that he was borne out in what he had said, because the plain meaning of what the hon. Gentleman stated was, that the landlords owed their tenants 5,000,000*l.* annually for property now in the possession of the landlords which belonged to the tenantry. Well, the rental of Ireland in the year 1846 amounted to 13,000,000*l.*; now, he believed, it was reduced to under 11,000,000*l.* So that, in point of fact, the hon. Gentleman proposed to take from the landlords of Ireland almost one-half of their rental. That, he need not say, would be a most gross and flagrant violation of the rights of property, and nothing more nor less than the transfer of the property of the landlord to the tenant. At the same time, he (Lord Naas) was free to admit that the claim of the tenants of Ireland to compensation for their *bonâ fide* improvements was perfectly irresistible; but he considered that it was impossible that the same legislation could be adopted for Ireland as was established for England. No matter how plausible the statement might appear in theory, it was impossible that they could have similarity of legislation in England and Ireland, widely differing as the countries did in many matters of a social and political nature. The systems of County Rate, Criminal Administration, and Poor Law Relief differed much in both countries; and in his opinion, particularly as regarded the Poor Relief, Ireland had the advantage. He was, therefore, willing to meet hon. Gentlemen opposite; and he thought he should be able to show them that the remedy propounded by his right hon. and learned Friend the Attorney General for Ireland was that which should be adopted. He hoped—indeed, he felt convinced—that the subject they were then approaching would be dealt with in a way so as to confer lasting benefit on the agricultural people of Ireland. All his (Lord Naas's sympathies were with the tenantry, amongst whom he lived for a longer period than most hon. Gentlemen; and he therefore hoped that this question would be dealt with so as to secure to that tenantry the fruits of their industry, their enterprise, and improvements.

Viscount MONCK said, he agreed that the time had come for legislation on this subject; and although he admitted that the Bill of the right hon. and learned Gentleman the Attorney General for Ireland was a decided advance, yet, looking at the great progress hon. Gentlemen on the Ministerial benches had recently made on other subjects, he thought that they might have proceeded a few steps further with regard to the relations of landlord and tenant in Ireland. The only true and just principle, in dealing with this question, was to give a right of property to the tenant for any additional value which by his industry or his capital he conferred upon the land. The fault of the Bill of the Government was, that it admitted this principle in respect to buildings and machinery, but not as to all other improvements. Extend the same principle to all improvements, and he for one should be satisfied. The Irish Timber Acts (5 *Geo.* III.) gave the tenants a legal right in the timber planted by themselves. That was a case entirely analogous to that of tenants' improvements, and why should it not be followed? There was the greatest complexity in the forms which a tenant would have to go through before he could establish his claim; and although the effect of the Bill might be to make the tenant in many cases insist upon a written contract with his landlord on the subject of improvements, nevertheless he held that it was the duty of that House to provide security for the rights of the tenant where no such contracts existed.

Mr. WHITESIDE said, he thought they had gained much useful information in the progress of the discussion. Amongst many other things he had learned that English gentlemen imported into Ireland knew much more of its wants than did the hon. Gentlemen he saw before him, and who were warmly and naturally attached to that country. After all the discussion that had taken place, he (Mr. Whiteside) could not help thinking that the Bills of his right hon. and learned Friend the Attorney General for Ireland were good Bills. They specified the objects and pointed out the improvements for which compensation would be allowed. They were prospective and retrospective, and provided for two matters absolutely necessary—implements and fixtures. Therefore, he thought they were entitled to take credit for the preparation of these Bills, inasmuch as if they were compared with the Devon Commission they would be found not merely to contain the recommendations and suggestions of that Commission, but also to go beyond them. He objected altogether to the Bill of the hon. and learned Member for Kilkenny (Mr. Serjeant Shee), as being impossible in theory, impracticable in execution, unwise in detail, and wrong in principle. He could not praise the fertility of fancy of that hon. and learned Gentleman, who, in quitting the dry details of Westminster Hall, did not display more of the inventive faculty than to adopt and introduce the Bill of Mr. Sharman Crawford; which Bill, by the way, had been twice previously rejected by that House. The hon. and learned Gentleman, to be sure, had given them a statement, commencing with the feudal ages, and embracing Lombardy and the entire Continent, as also the plantation of Ulster. But in the few practical observations which he made, he left the real question entirely untouched. Notwithstanding the censure that had been heaped upon the landlords of Meath and Ulster, it should be recollected that when an attempt was made to rescue the representation from them, the laborious and loyal tenantry rallied round them, and preserved to them their political independence. He trusted that would never be forgotten to that tenantry. He could undertake to say that a more excellent class of landlords than those of Meath could not be found in Ireland; and the prices which land in that county realised gave proof of the excellent feeling that existed between landlord and tenant. He felt convinced that no Committee would adopt the theories of hon. Gentlemen on the opposite side. But he had no doubt the consideration of the question in Committee would be attended with beneficial results, and he should rejoice if the result should be the permanent improvement of the Irish tenantry.

Mr. WALPOLE said, he would suggest that after the discussion that had taken place, and considering the hour (it was near six o'clock), the Bill should be then read a Second Time, and committed.

Question, "That the Bill be now read a Second Time," put, and *agreed to*.

Bill read 2°, and *committed* to a Select Committee.

And it being Six of the clock, Mr. Speaker adjourned the House till To-morrow, without putting the Question.

HOUSE OF LORDS,

Thursday, December 16, 1852.

Minutes.] Public Bills. — Royal Assent.— Bank Notes; West India Colonies, &c., Loans Act Amendment; Commons Inclosure.

NATIONAL EDUCATION (IRELAND).

The Marquess of LANSDOWNE moved an Address for a copy of a Minute or Minutes of Treasury, relating to the sale of works sanctioned by the Board of Education in Ireland. He did so without impugning the decision which had been come to on the subject; but because it was essential that this information should be communicated to the public and to the proprietors and managers of schools.

The Earl of DERBY quite agreed with the noble Marquess as to the propriety of laying those papers on the table; and he hoped he would find that the result, which was in accordance with the proposition that had been made by the noble Marquess himself in 1851, would lead to a final and satisfactory settlement of this question. That morning he had had the satisfaction to receive a note from the Commissioners, announcing their entire approbation of the arrangement which had been made.

Motion *agreed to.*

House adjourned till To-morrow.

HOUSE OF COMMONS,

Thursday, December 16, 1852.

MINUTES.] NEW MEMBER SWORN.—For Merthyr Tidvil, Henry Austin Bruce, esq.

PUBLIC BILLS.—1° New Forest Deer Removal Act Amendment.

3° Stamp Duties on Patents for Inventions.

DERBY ELECTION—REPORT OF THE COMMITTEE.

MR. GOULBURN laid on the table the Report of the Committee of the Derby Election. The report was then read by the Clerk at the table, and is as follows :—

"Your Committee appointed to take into consideration the matter of the petition of certain inhabitant householders of the borough of Derby, and to report thereupon to the House, have examined witnesses, and heard counsel as well in support of the petition as in behalf of the right hon. William Beresford, Secretary-at-War, a Member of the House, and have agreed to the following Report :—Your Committee have to report, with respect to the special allegations contained in the Petition before them, that the evidence which they have taken has satisfied them that a plan for an organised system of bribery had existed in the borough of Derby at the last election, and that the right hon. William Beresford wrote a letter to one John Frail, of Shrewsburs, in the following terms :—'A good and safe man, with judgment and quickness, is wanted immediately at Derby. I suppose that you cannot leave your own place. If not, send some one whom you can trust in your place. Let him go to Derby on receiving this, and find the County Tavern, in the centre of the town. Let him send his card to Cox Brothers and Co.'s lead works, as coming from Chester. That will be enough. Yours, W. B.—Monday.' That in consequence of such letter one Thomas Morgan, of Shrewsbury, was sent to Derby by the said John Frail, and, acting on instructions there received, was subsequently detected and apprehended whilst carrying out the aforesaid plan of an organised system of bribery, proved before your Committee to have existed. Your Committee, however, do not find sufficient evidence to satisfy their minds, that the arrangements, scheme, and objects, as referred to in the petition, were known to and concurred in by the right hon. William Beresford, Secretary-at-War, and Member of the House; but your Committee are of opinion, that the equivocal expressions of this letter ought at least to have suggested to him the idea that an improper use might be, and in fact was, made of the letter; and they find a reckless indifference to consequences which they cannot too highly censure."

On the Motion of MR. GOULBURN, the Report and Evidence were ordered to be printed.

THE CASE OF THE MADIAIS.

MR. KINNAIRD said, he wished to put a question to the noble Lord the Under Secretary of State for Foreign Affairs, relating to the case of the two Madiais, now under sentence of imprisonment by the Tuscan Government; and whether any reasonable hopes might be entertained as to their speedy release? He wished to know what communications had taken place between Sir Henry Bulwer and the Tuscan Government? He had been informed that an amnesty to prisoners would be extended, in the event of the favourable accouchement of the Duchess. That favourable event had occurred, and the amnesty had in due course been extended to persons in prison for crime and riot, but not to the unfortunate Madiais. The question he wished to put to the Government was, whether the communications received from Sir Henry Bulwer were such as to induce a reasonable hope that the Madiais would be speedily released?

LORD STANLEY replied that the hon. Gentleman had correctly stated the facts. The Government had received several communications from Sir Henry Bulwer on the subject of the Madiais, and he thought from the general tone of these communications there was a reasonable hope of their speedy release, but he was not in a position to give any certain or positive information on the matter.

WAYS AND MEANS—FINANCIAL STATEMENT—ADJOURNED DEBATE (FOURTH NIGHT).

Order for Committee read.

House in Committee of Ways and Means; Mr. Wilson Patten in the chair.

Question again proposed—

"That, towards raising the Supply granted to Her Majesty, from and after the 5th day of April 1853, the Duties granted and made payable by the Act 14 & 15 *Vict.* cap. 36, upon Inhabited Dwelling Houses in Great Britain, according to the annual value thereof, shall cease and determine, and in lieu thereof there shall be granted and made payable upon all such Dwelling Houses the following Duties (that is to say)—"

LORD JOHN RUSSELL said, he wished to ask the opinion of the Chairman with respect to a point of order which appeared to him to be of great importance. He noticed the other night that there was considerable difficulty in assertaining what was the precise meaning of the question read by the Chairman, and, on referring to that question, he found that it was part of a Resolution, and not a distinct and separate portion of that Resolution. It was, in fact, part of a Resolution disjoined from the other part. If he (Lord John Russell) was not mistaken, the reason why the Chairman read that part of the Resolution only was, that early in the proceedings an Amendment was moved when the Chairman arrived at the words "that is to say;" but he (Lord John Russell) conceived that, according to the regular order of proceeding, the Chairman should read the whole of the Resolution, and if no Amendment was proposed upon any part of the Resolution, the whole Resolution would then be put to the Committee, and not a single portion of it. It was true that an Amendment had been proposed upon the Resolution; but he wished to submit to the Chairman whether, as there was now no Amendment before the Committee, it would not be more regular that the Chairman should proceed to read the whole of the Resolution, and to put the question, so that they might have before them—as he thought was the wish of the House—the exact proposition of the Government in the terms which they had themselves selected.

The CHAIRMAN said, he had no difficulty in answering the question of the noble Lord, who had stated very correctly the custom of the House. He (the Chairman) thought it was advisable that he should state the exact circumstances under which the Resolution came before them. The Resolution was put as a whole; but there stood upon the notice-paper an Amendment of the hon. Member for Lambeth (Mr. W. Williams) who proposed that, instead of considering the House Duties, the Committee should proceed to consider the Duties upon Legacies. It was necessary that that Amendment should be taken at the point at which it was proposed, because, if that had not been done, they would have precluded other Members from proposing any amendments. After that Amendment had been discussed for some time, the hon. Member for Manchester (Mr. Bright), he believed, suggested to the hon. Member for Lambeth that he should withdraw it, that the Committee might say "Ay" or "No" upon the main question. That suggestion received the general assent of the Committee, and he (the Chairman) then put the question "Ay" or "No," and from that period to the present moment the matter had been discussed upon the proposition "Ay or "No." The noble Lord was perfectly right in stating that the practice was for the Chairman to read a Resolution from beginning to end, until he was stopped. Now, that was the course which he (the Chairman) had taken in this case until he was stopped. He then put the question, and the discussion would proceed until he received the directions of the Committee to the contrary, or until some hon. Member proposed an Amendment.

MR. HUME said, he wished to state what part he had taken in the matter. When the hon. Member for Lambeth (Mr. W. Williams) moved his Amendment, the hon. Member for Manchester (Mr. Bright) told him that if he persevered he could not take the opinion of the Committee upon the whole Resolution. He (Mr. Hume), therefore, begged the hon. Member for Lambeth to withdraw his Amendment, in order that the question might be put upon the whole Resolution; and he suggested to him that he might propose the Amendment when a Bill was brought in. When the Amendment was withdrawn, he (Mr. Hume) apprehended that the discussion went on upon the whole Resolution, as if no Amendment had been proposed.

The CHAIRMAN said, he would observe that there were other Amendments on the paper besides that of the hon. Member for for Lambeth. It was therefore necessary, in his opinion, that they should keep to the question before them, "Ay" or "No."

The CHANCELLOR OF THE EXCHEQUER said, he thought there was something more important than even technical propriety, and that was that they should conduct their proceedings with the utmost candour and fairness. He had been informed on the highest authority that it was necessary they should take the Resolution paragraph by paragraph. He himself was perfectly willing, and was, indeed, most anxious, that the Committee should come to a single vote, and that as soon as possible, which would be decisive as to the general policy recommended by the Government. Representations had been made to him by hon. Gentlemen on both sides of the House—and more by hon. Gentlemen opposite than by those on his own side; and when he appealed to them to facilitate the decision of the Committee, assuming that the first paragraph of the Resolution sanctioned the increase of the house tax, and that the second paragraph sanctioned its extension, he certainly undertook that he would not call upon the

Committee to decide upon the question of the amount of the tax. But, in making that agreement, according to what he conceived to be the feeling of hon. Members, the Committee would understand, that when they came to consider the amount of the tax, he should feel it his duty, not having touched on the subject, to place fully before them the views which had induced the Government to recommend this policy, and to show the effects of the taxation upon the different classes of the community. As it was his object to induce the Committee to come to a decisive vote before the holidays, he felt bound in honour not to press the amount of the tax. He conceived that, with the opportunity which the Committee had of determining whether the tax should be increased or extended, they were fully able to decide upon the policy recommended by the Government. He trusted that the Committee would give its decision as soon as possible upon what was called the Preamble of the Resolution, which involved a most important and vital question. He thought the Committee must be satisfied that there was no desire on the part of the Government to avoid discussion, and his object had been to facilitate a decision, and to meet the wishes of hon. Gentlemen on both sides of the House.

Mr. EVELYN DENISON said, he was surprised to hear the statement of the right hon. Chancellor of the Exchequer, that communications made to him privately from that side of the House, and from the other, should be taken without any public discussion as to the general wish of the Committee. He thought those communications and explanations showed that there had been a departure from what must be the intention and general understanding of all parties in that House. The right hon. Gentleman said some communications were made to him, giving him the impression that it would suit the convenience of certain individuals, if the vote were taken in a particular manner, and that he assented, through his friends, to that proposition. Surely that conveyed to the Committee, that a departure was proposed and assented to from the understanding which up to that time generally prevailed in the House. Now, the understanding of the Committee was surely this—that they were going to vote on that which appeared on the paper; and his impression of what had been stated by the Chairman was entirely different to that which appeared to have been impressed on the mind of the right hon. Gentleman. He understood the decision of the Chairman to be that, as no Amendments were proposed, when the time came for taking the vote, he would read the whole Resolution as it stood on the paper, and that the vote would be taken on the whole Resolution, and not upon any single or separate paragraph of that Resolution. The impression of the right hon. Gentleman appeared to be different; and he ventured to appeal again to the Chairman whether, in the event of no Amendment being moved, he should not consider it his duty, in conformity with the general practice of that House, to put the Resolution as an entire Resolution to the Committee?

The CHAIRMAN said, the noble Member for the City of London had stated most correctly what was the usual practice—that the Chairman of the Committee should read through the Resolution until he was stopped by an Amendment. He (the Chairman) was stopped by an Amendment, which was subsequently withdrawn, and he then understood that it was the general wish of the Committee to take the decision upon the words before them. [*Cries of* "No, no!"] That certainly was his impression of the wish expressed by the Committee at the time; but if the Committee chose, they might direct him to pursue a different course. He could not do so, however, without an expression of the opinion of the Committee on the subject.

The CHANCELLOR of the EXCHEQUER said, that the hon. Gentleman the Member for Malton (Mr. E. Denison) entirely misconceived his wishes, if he supposed that he (the Chancellor of the Exchequer) was at all desirous either of evading the discussion of his proposal, or the expression of an opinion upon it. Appeals had been made to him, not merely privately but publicly, and he had the other night stated to the noble Lord (Lord John Russell) that he was anxious to have the decision of the Committee upon the first proposal of the Government for increasing the tax, and upon their second proposal for extending it; but, with regard to the amount of the rate, in consequence of what had occurred, he reserved to his friends the right of taking such a course as they thought proper. The noble Lord then said that he considered the explanation which he (the Chancellor of the Exchequer) gave was perfectly satisfactory. If the noble Lord had not expressed that opinion, he (the Chancellor of the Exchequer) would have been in a different position.

Mr. GLADSTONE said, that when the noble Lord (Lord John Russell) was understood to express his satisfaction at the answer given to his inquiries by the Chancellor of the Exchequer, and he (Mr. Gladstone) expressed his dissatisfaction at the statement of the right hon. Gentleman, he was met by the imputation that certain persons were disposed to be captious on the subject. Having been dissatisfied with the right hon. Gentleman's explanation, and being desirous that the Committee should come to a clear and unembarrassed decision, he (Mr. Gladstone) was anxious to see how this could be accomplished. He apprehended the usage was that the Chairman, unless he was interrupted, should read through either the whole Resolution submitted to the Committee, or a complete paragraph of the Resolution. Now, in his opinion, what the right hon. Gentleman called a paragraph was no paragraph at all. The Resolution was printed in a particular manner for the convenience of hon. Members, so as to catch the eye; but his belief was, and the Chairman would correct him if wrong, that if no Amendment was proposed, or if no negative was moved, it was not competent for the Chairman to stop, nor was it competent for the Chancellor of the Exchequer to make arrangements with any hon. Members until the Chairman came to the end of what might be called the first paragraph of the Resolution, which set forth the complete proposition that there should be charged for every 20*s*. of annual value of certain dwelling-houses the sum of 1*s*. There were, as he understood, two ways in which the Chairman might be stopped. The first was by any hon. Member who wished to move an Amendment; the second was by a Member who wished to negative the words read; but it was not, he believed, competent for the Chairman to stop, or for any hon. Member to call upon him to stop at particular words, that they might be affirmed. The Chairman could only be stopped by the proposal of an Amendment, or by a proposition to negative certain words. He (Mr. Gladstone) conceived that the position in which they stood was this: At the time when the hon. Member for Lambeth (Mr. W. Williams) withdrew his Amendment, the hon. Member for Manchester (Mr. Bright) was understood to call for a distinct and simple negative, not upon the entire Resolution, but upon the words which had been read. In consequence, the question was put upon those words; and he was anxious to know from the hon. Member for Manchester whether it was his wish to take the negative upon those words, or whether he was content to take a negative—and had intended to take a negative—upon the whole proposition? If so, he apprehended there was no question virtually before the Committee, and the Chairman must read on in the Resolution until he came to an Amendment, or some one desiring a negative. He did not know whether he had contributed to darken or enlighten the Committee. That was his view, and he ventured to put that question to the hon. Member for Manchester.

Mr. BRIGHT said, he was afraid he would not be able to throw much light upon this knotty point. He did not hear the Resolution read, and he did not know, to this moment, whether the Chairman read the Preamble, the first paragraph, or the whole Resolution. He had taken the liberty of asking the hon. Member for Lambeth to withdraw his Amendment, that they might discuss the proposition of the Chancellor of the Exchequer. The proposition he understood to be the policy of Government with regard to the question of the house tax. He (Mr. Bright) had, however, no knowledge whatever as to the precise words, and all he could say was that he had no idea of taking any part beyond suggesting the withdrawal of the Amendment. He did not feel himself competent to offer any opinion as to the mode of proceeding, but he thought they ought to pursue such a course as was in conformity with the forms of that House.

Sir ROBERT H. INGLIS said, it ought to be clearly known on what the Committee were about to decide. It was impossible to know what was before the Committee, except it was in the shape of a Resolution. He thought private arrangements ought not to take place in such cases. The question would be simplified if the terms of the Resolution were read to the Committee.

Sir JOHN PAKINGTON said, he apprehended the object of the noble Lord (Lord J. Russell) in having raised this question was to facilitate the convenience of the Committee with regard to the particular subject upon which they were going to vote. The right hon. Member for the University of Oxford (Mr. Gladstone) had said, that only a portion of one paragraph of the Resolution had been read, instead of the entire Resolution; but he (Sir J. Pakington) wished to point out to the Committee, that though it might be, in point of form, one Resolution, it embraced four distinct propositions. The Preamble stated, in fact, the principle of the Government proposition—namely, that the house tax should hereafter be extended in area and increased in amount. There they had the principle of the Government proposition. Then there were in the Resolution three other distinct propositions. The first was, that the house tax should be extended to houses of a rental of 10*l.* a year; the second, that houses of a certain class should pay 1*s.* in the pound; and the third, that houses of another class should pay 1*s.* 6*d.* in the pound. Now, he submitted that these were propositions upon which a great difference of opinion might fairly be entertained, and he thought, therefore, that the fair course was not to enter into the discussion of these three different proposals at once, but to divide upon the Preamble, which involved the principle of the Government proposition.

Mr. GOULBURN said, he entirely agreed with the Chairman and other hon. Members who had spoken as to the practice of the House. He thought it was evident that they could not vote upon a principle in Committee of Ways and Means, but only upon the details of the particular measure submitted to them. This Preamble, in fact, would form no vote whatever. The House was in Committee of Ways and Means to grant a supply to Her Majesty, and this Preamble merely stated "that there be granted the following duties upon inhabited houses, that is to say." It was clear that "towards raising the supply granted to Her Majesty" that proposition was nugatory. It might involve a general principle; but if it did, a Committee of Ways and Means was not the proper place to raise it.

Mr. HINDLEY said, for his own part, he was quite willing to pass the Preamble; for he held, as a free-trader, that direct taxation was one of the necessary and inevitable consequences of free trade. He was certain that the good of the country would be promoted by it. But if the whole of the Resolution was to be put, he was not going to double the house tax.

The CHAIRMAN said, the hon. Member was out of order, for there was no such question before the Committee.

Mr. HINDLEY said, he would move, then, "that the Chairman report progress." He apprehended he should now be in order.

Mr. T. S. DUNCOMBE said, he wished to say a few words with regard to what had fallen from the Secretary of State for the Colonies. The right hon. Gentleman had stated that the Preamble contained the principle of an extension of the area, and an increase of the amount of the house duty. He could find no such words in the Preamble. There were, in fact, no such words in the Preamble. Really, the Government themselves did not know what they were about. The right hon. Gentleman the Chancellor of the Exchequer must put up some one else besides the Secretary of State for the Colonies to explain more satisfactorily the meaning of the Government. Last Monday week the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone) asked why the Government took the house duty and the tea duties first, instead of the income and property tax, seeing and believing as he did, and as the public did, that the income tax was the corner-stone of the whole Budget. The answer of the right hon. Chancellor of the Exchequer was not very clear, but subsequently it had been explained by the noble Lord at the head of the Board of Works that they took the house and tea duties together, because in the first year the sum derived from doubling the house duty would make up for the deficiency of the tea duties. That showed that the principle of the Government proposition was to double the house duty; but now they were told this evening by the right hon. Chancellor of the Exchequer that the amount of the house duty was no part of the question; he should leave the House to deal with that afterwards. That certainly was not leaving the Committee to pronounce an opinion on the measure as a whole. The fact was the whole issue had been changed—at whose suit he did not know. He did not know who these mysterious individuals were—he supposed his hon. Friend the Member for Ashton (Mr. Hindley) was one of them. It suited his convenience to vote for the Preamble, but it did not suit his convenience to vote for the double house duty. If the vote had been taken, as he (Mr. Duncombe) originally proposed, on the question that Mr. Speaker leave the Chair, the Committee would not have been in this confusion, in which, after three nights' debate, they did not know on what they were going to divide.

The CHANCELLOR OF THE EXCHEQUER said, that no one was more anxious than he was to go on with the debate, and take the decision of the Committee upon the Resolution. Certainly he did say, with a view to bring the debate to a close, finding that many Gentlemen wished to speak upon the house tax, that he did not think it would be necessary to take their opinion upon the subject, but of course he should bow to the order of business. Personally, however, he should consider no one, by voting for this Resolution, bound as to the amount contained in it. A Bill would have to be brought in, and any hon. Member who had not an opportunity of expressing his sentiments now, would have the opportunity then, notwithstanding his vote now, of proposing any Amendment he thought right. He (the Chancellor of the Exchequer) regretted extremely that he should have misled any Gentleman, through his own misunderstanding of the influence which he thought the noble Lord opposite exercised over his friends. He had thought the words of the noble Lord were words of authority. He regretted very much that he had misinterpreted what took place. He could only, after all, express his desire that the debate should proceed, and the opinion of the Committee be taken upon the Resolution.

SIR CHARLES WOOD said, he was only anxious to proceed in what appeared to him to be the regular course. On the last evening the Budget was debated, in answer to a question put late at night, as to what the Government comprehended as the question before the Committee, the right hon. Chancellor of the Exchequer stated, for the first time, that he understood the Resolution to mean an increase as well as an extension of the house tax. The right hon. Gentleman had that evening repeated that statement; but there was a question whether it was possible, according to the forms of a Committee of Ways and Means, to take the Preamble alone. The fact was, the Resolution was drawn in rather an unusual form. Instead of positively repealing certain duties, it should have been shaped to the effect, that in lieu of duties now payable certain other duties should be payable, and that would obviously prevent the Preamble from being treated as a simple sentence. The effect of the Preamble, if passed, would be to repeal the existing duty and substitute nothing. They did not go into Committee of Ways and Means to repeal duties. Unless they voted a grant of some duties, they were not performing the function of a Committee of Ways and Means. The clear course for the Chairman was to read the Resolution until he came to the positive end of a sentence, unless interrupted by an Amendment. The Chairman was interrupted by an Amendment, and that Amendment was afterwards withdrawn. It seemed to him, with all due submission, that the Chairman ought now to proceed to read the Resolution from the beginning, unless interrupted by another Amendment, until he came to the positive end of a sentence. For his own part, he was perfectly ready, if according to form, to take a discussion on the house tax, but no one surely would repeal the house tax in order to extend it any more than a person would pull down a wall to make it higher. The simplest course would be, that the whole of the Resolutions should be read, and upon them a vote should be taken, ay or no.

The CHAIRMAN said, it appeared to him that the right hon. Gentleman the Member for Halifax had stated the practice of the House most correctly to be, that the Chairman ought to read on with the Resolutions till he was stopped by an Amendment. He must repeat, however, what he had already said—namely, that he was stopped by an Amendment of the hon. Member for Lambeth, and that Amendment was withdrawn on the suggestion of the hon. Member for Manchester, who expressed a wish that the question should be taken, ay or no. He believed he acted in accordance with the general wish of the Committee.

LORD JOHN RUSSELL said, he thought it necessary, in consequence of what had been said, to observe that he had expressed himself entirely satisfied with the explanation of the right hon. Gentleman the Chancellor of the Exchequer on Tuesday night; as far as he was concerned, in the second speech he made, he thought the right hon. Gentleman took a perfectly fair course in declaring that both the extension and increased amount were involved in the preliminary words. But the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone) suggested a different course, thinking that, whatever might be the value of the declaration of the Chancellor of the Exchequer, the Committee ought to proceed according to the regular form and the obvious intent of the words. He (Lord John Russell) said, with respect to the suggestion then made, that he would not give a positive opinion at the moment, but would reserve his opinion; and upon considering the subject, and making inquiry, he had found that the proper course, according to the forms of the House, would be, that the Chairman should read the Resolution through, or until stopped by some Amendment. There appeared to have been some misunderstanding between the Chairman and the hon. Member for Manchester (Mr. Bright), because the Chairman had stated that he stopped where he did conceiving it to be the wish of the hon. Member and of the Committee that he should put that as the question; and the hon. Member had declared that he had no wish upon the subject, whether part of the Resolution or the whole should be read, but that he was willing to defer to the Chairman's authority. So that, while the Chairman was anxious to conform to the hon. Member's wishes, the hon. Member was willing to conform to the Chairman's decision. He (Lord J. Russell) would repeat that the declaration made by the Chancellor of the Exchequer was satisfactory as far as the Government was concerned. But by far the most satisfactory mode, and that which would most meet the wishes of the Committee, would be, that the whole Resolution should be read.

The CHANCELLOR OF THE EXCHEQUER said, that the right hon. Baronet (Sir C. Wood) had found fault with the Resolution, and said it was not drawn in the usual form. It was copied *totidem verbis* from the Resolution introduced by the right hon. Baronet himself on a former occasion. All that he (the Chancellor of the Exchequer) wished, however, was, that the debate should go on; but he must make one observation, because none of us could be too strict with ourselves, and indulgent to each other, in reference to anything like an engagement. He had made representations, to which reference had already been made, to friends of his. He begged it to be distinctly understood that, if any Gentleman thought this first decision one of policy and general confidence in the Government, and voted on the same side with himself, he should consider, after the representations he had made, that they were perfectly free, as far as the Government was concerned, on a subsequent occasion to oppose the reduplication of the house tax.

MR. EVELYN DENISON said, he understood now that the matter of form was settled, and that the Chairman would put the whole Resolution. The right hon. Chancellor of the Exchequer had expressed a great desire not to mislead any Gentleman; but though, in point of form, he had accommodated himself to the wishes of the Committee, he (Mr. Denison) was afraid, in point of substance, some mystification might be left. For it seemed that when in Committee of Ways and Means, Gentlemen were asked to vote 1*s.* to Her Majesty, every one was to be at liberty to interpret that "shilling" to mean 6*d.*, 10*d.*, or 4*d.*, or any sum he pleased.

MR. KENNETH MACAULAY said, that if the question was, that the house tax of 1851 should be repealed, and a new tax imposed, he was inclined to say ay, but until he had considered the details of the proposition of the Government, he could not say that the duty ought to be 1*s.* 6*d.* on one class, 1*s.* on others, and 9*d.* on another class of houses. He objected, therefore, to being driven to the necessity of saying ay or no on the present occasion, unless there was something in the forms of the House which compelled them to vote. His own impression was, that on Friday last the hon. Member for Manchester (Mr. Bright), when the Amendment was withdrawn, interposed his negative to the proposal before them. It was remarkable that hon. Gentlemen opposite had sat quietly since Friday on the subject. Neither the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn), nor the right hon. Gentleman the Member for the University of Oxford (Mr. Gladstone), was deficient in vigilance, yet both of them had misled him, for until to-night he had always considered that he should have an opportunity of voting on the main question of repealing the late and of imposing a new duty. As yet he could not state how many pence he could vote for in lieu of the present duty of ninepence, and he should, therefore, interpose an Amendment to prevent any vote being taken at present on any words below the Preamble.

MR. PHILLIMORE said, he believed, that as the Amendment had been withdrawn, it was the right of any hon. Member to call upon the Chairman to read the

Resolution from beginning to end. The Chairman said, that the question before the Committee was, that he report progress.

MR. HINDLEY said, he would withdraw that Motion.

MR. SIDNEY HERBERT said, that the observations of the hon. and learned Member for the University of Cambridge (Mr. K. Macaulay) were a protest, not against the Amendment, but against the whole forms of the House. If it was true that the hon. and learned Gentleman was not in a state to give his decision on the details of the question, and did not feel himself competent to pronounce an opinion on one amount or the other, he ought to have voted with the hon. Member for Finsbury (Mr. T. Duncombe) against Mr. Speaker's leaving the Chair, and to have had a discussion on the whole subject. But as the question stood now, the Committee were compelled to limit the discussion, and to vote on the details. The question they had to vote upon was this; what extension of the house tax might be voted for the future? The Committee could not escape from that question, difficult though it might be for them to make up their minds upon it. Therefore it was that he said that the protest of the hon. and learned Gentleman was a protest against the forms of the House, and that the vote of the Committee must be given in accordance with those forms.

SIR THOMAS ACLAND said, it appeared to him that he was asked at this stage of the proceedings to say how far he would go; and if he had made up his mind that under no circumstances could he agree to a tax of 1*s.* 6*d.* upon houses and 1*s.* upon shops, he did not think that he could vote for the affirmative of the proposition. But if under any circumstances he could vote for this particular addition to the Budget, he might, according to the usages of the House, vote for the higher sum now, reserving to himself the right of voting for a reduction of that sum on a future occasion, should he deem it necessary. At present, therefore, he would vote for the higher sum, as the only mode in which he should have the whole subject before him.

MR. MALINS said, that as a new Member of the House, he had been much perplexed by what had been recently going on, but he rejoiced to find that they had at last arrived at something like a rational understanding. To an uninstructed mind there seemed something extraordinary in the importance which the various parties opposite attached to having the question proposed to the Committee in such a way that Members must either vote a house tax of 1*s.* 6*d.* or nothing. He saw no reason why hon. Members should be tied down to vote at this moment that the tax should be exactly 1*s.* 6*d.*, and he was delighted to hear the right hon. Chancellor of the Exchequer say that Members who might vote for the Resolution would be at perfect liberty to decide hereafter whether the tax should be 1*s.* 6*d.* or any other sum. He had entered the House as an upholder of moderate Conservative principles, among the supporters of which he expected to find Gentlemen whom he saw opposite, one of whom, distinguished for his eloquence and ability, was the right hon. Member for the University of Oxford (Mr. Gladstone). He expected other things from those Gentlemen, and deeply regretted to see them uniting with men from whose political views they had always dissented, to attack a Government on the question whether a house tax of eighteenpence, fifteenpence, or a shilling should be imposed. He resembled the hon. Baronet who had last spoken in this debate, that his mind was not made up as to the amount of the duty necessary. Hon. Gentlemen opposite no doubt thought themselves, every one, qualified for the office of Chancellor of the Exchequer; but he had a more humble estimate of his abilities, and could not pretend to decide difficult financial questions in this off-hand manner. Hon. Members on the other side of the House wished the Committee to come to a decision on the question in a sense which they thought would enable them to outvote the Ministry —a Conservative Ministry; but what would the country think of a Government which possessed its general confidence being turned out of office in such a manner? The tactics of the leading men opposite betrayed themselves in this—that their speeches, instead of being addressed to the arguments of their opponents, were framed with a view to overcome the scruples of their own supporters. For his own part he would not be driven to give his vote in a way to drive from office a Government in whom he had confidence, in order to replace them by men who were not agreed among themselves on any single question. He warned parties opposite that if, by an artfully contrived combination, they should succeed in destroying the Government, the hour of their difficulty would arise. The right hon. Baronet the Member for Halifax (Sir C. Wood), who, he supposed, would be the new Chancellor of the Exchequer, might find that he would not be able to get on very smoothly with his Budget. In conclusion he expressed a hope that Members on the Ministerial side of the House would, to a man, support the Government, and place in safety a Budget which, whatever difference of opinion might prevail as to its details, had, as regarded its general principles, obtained approbation from all quarters.

MR. G. H. MOORE begged to suggest to hon. Gentlemen sitting on the Ministerial side of the House, that the right hon. Chancellor of the Exchequer had relieved them from all difficulty whatever on this question, for he had told them that they could first vote for the whole of the Resolutions as they stood, and that there was nothing to prevent them from voting afterwards precisely to the contrary. Now, that suggestion appeared to him (Mr. Moore) to be entirely consistent with the course which Her Majesty's Government had hitherto pursued; and he, therefore, ventured humbly to recommend hon. Gentlemen opposite at once to adopt it.

The CHANCELLOR OF THE EXCHEQUER said, he had suggested none other than the course usually taken on such an occasion as this. The hon. Gentleman who had just addressed the Committee was altogether mistaken in the construction which he had put upon his (the Chancellor of the Exchequer's) suggestion. The sum mentioned in the Resolution meant—and the Chairman would correct him if he were wrong—any sum "not exceeding" the sum specified. In his opinion, there was no reason whatever that should prevent hon. Gentlemen from voting in favour of the figures in the Resolution before the Committee, although it might be their intention hereafter to vote in favour of less sums. The Resolutions before the Committee were only intended as the foundations of a Bill, and, of course, during the discussion on such Bill, it would be perfectly competent to any hon. Gentleman to vote for an amendment of it with the view of reducing the amount of the tax. All that the Committee would pledge itself to now by voting for this Resolution would be to this, that in the Bill embodying the whole of the Resolutions no sums exceeding 1*s*. 6*d*., and 1*s*., as the case might be, should be imposed upon houses.

Motion made, and Question put—

"That, towards raising the Supply granted to Her Majesty, from and after the 5th day of April, 1853, the Duties granted and made payable by the Act 14 & 15 *Vic.* c. 36, upon Inhabited Dwelling Houses in Great Britain, according to the annual value thereof, shall cease and determine, and in lieu thereof there shall be granted and made payable upon all such Dwelling Houses the following Duties (that is to say),—

"For every Inhabited Dwelling House which, with the household and other offices, yards and gardens therewith occupied and charged, is or shall be worth the rent of Ten Pounds or upwards by the year,—

"Where any such Dwelling House shall be occupied by any person in trade who shall expose to sale and sell any goods, wares, or merchandize in any shop or warehouse, being part of the same Dwelling House, and in the front and on the ground or basement story thereof;

"And also where any such Dwelling House shall be occupied by any person who shall be duly licensed by the Laws in force to sell therein by retail beer, ale, wine, or other liquors, although the room or rooms thereof in which any such liquors shall be exposed to sale, sold, drunk, or consumed, shall not be such shop or warehouse as aforesaid;

"And also where any such Dwelling House shall be a Farm House occupied by a a tenant or farm servant, and *bonâ fide* used for the purposes of husbandry only,

"There shall be charged for every Twenty Shillings of such annual value of any such Dwelling House, the sum of One Shilling.

"And where any such Dwelling House shall not be occupied and used for any such purpose and in manner aforesaid, there shall be charged for every Twenty Shillings of such annual value thereof, the sum of One Shilling and Sixpence."

MR. SPOONER moved, "That the words 'not exceeding,' should be inserted before the words 'eighteen pence.'"

SIR CHARLES WOOD said, he would not object to the Amendment, but he must protest against the course proposed as unusual.

MR. GOULBURN said, that he had no objection to the Amendment of the hon. Member for North Warwickshire (Mr. Spooner); but the effect of it would be this, that the house tax, which was intended to supply a deficiency which would be occasioned by the reduction of other duties might, in fact, be made under this Amendment to yield even less than it did at present. As his objection to the Budget of the Chancellor of the Exchequer was founded upon the fact that it would run a great risk of occasioning a large deficiency in the revenue, that objection would, of course, be necessarily doubled by the Amendment of the hon. Member for North Warwickshire.

MR. LABOUCHERE begged to ask Her Majesty's Ministers whether it was not possible that there might be some practical difficulty, in consequence of the unusual course proposed to be taken in framing the Bill on which these Resolutions would be founded.

MR. WALPOLE said, that he did not think there would be any difficulty in the insertion of these words in the Resolution. The Resolution came before them in a Committee of Ways and Means, which was to fix the maximum of the duties granted, and that amount could not be exceeded when the Bill was brought in. When that was done, it would be in the option of any hon. Member to move to insert a different sum. The object, as he understood, of the hon. Member for North Warwickshire in moving the Amendment was, that it might be clear to the Committee, that the sum mentioned in the Resolution was the maximum to which the Government could go. He thought the words were superfluous, but they explained to the Committee what the effect of the Resolution was.

SIR CHARLES WOOD said, he thought there could not be the slightest doubt that anybody might move the reduction, though not an increase of the sum granted by the Resolution of a Committee of Ways and Means; but he really would put to the right hon. Gentleman the Chancellor of the Exchequer, the mischief of altering the ordinary form of granting the taxes, unless some clear advantage was derived from it. He thought that by this concession, though nothing was gained, something might be lost. Unless some better reason were assigned for the change than that suggested on the part of the hon. Member for North Warwickshire, he hoped the right hon. Gentleman would adhere to the usual form.

The CHANCELLOR OF THE EXCHEQUER said, he was quite ready to adhere to the ordinary form, but he would remark that the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn), had observed that the Resolution would have no effect whatever, if the sum specified in it were liable to be reduced. That he entirely disputed, but as had been said before, the Resolution did nothing more than fix the maximum, and therefore he was ready to adopt it as it stood.

MR. SPOONER consented to withdraw the words. He proposed them only in consequence of what had fallen from hon. Members on the other side, namely, that all who voted for the Resolution as it stood were bound to vote for doubling the duty on houses. He (Mr. Spooner) was not prepared so to do. He considered, that by voting for the Resolution, he only agreed to the principle of the extension of the house tax, and that when the Bill was brought in for the purpose of carrying out the Resolution, he did not consider himself bound, or that any hon. Member was bound to vote for doubling the house tax, but that all were quite at liberty to vote for such reduction in the proposed tax as they thought proper. It was with these views he voted for the Resolution.

Amendment *withdrawn*.

Debate *resumed*.

SIR ALEXANDER COCKBURN said, he thought there was not a single Member in the House who did not deplore the proceedings which had been going on for the last hour and a half, and every one must feel that the scene they had just witnessed was discreditable to the character of their discussions. They were now resuming a debate which had occupied their attention during three long nights, and it was very difficult to determine the question they were discussing, and upon which they were required to decide. And whence did that difficulty arise, which had interrupted the progress of business? It arose from one cause—the shifting and vacillating policy pursued by Her Majesty's Government. It was now almost a fortnight since the right hon. Gentleman the Chancellor of the Exchequer had laid before the House the financial scheme of the Government. In a speech, commensurate with the importance and gravity of the occasion, he brought before the House the great features of his financial scheme, which he showed consisted mainly of two parts. In the first place, he proposed to remit taxes which he considered impolitic or unjust; and in the second he proposed, inasmuch as the financial surplus which he had at his disposal was not sufficient to make up the deficiency occasioned by such remission of taxes, to supply the deficiency by the imposition of new taxes, partly by increasing the area of taxation in reference to the income tax and house tax; and as those two sources were not themselves sufficient for the purpose, he proposed further to increase, not only the area of taxation, but the amount which persons should be called on to pay. Nothing could be more clear and explicit than the statement of the right hon. Gentleman.

At the same time he invited the House to consider the Budget, not in its parts, but as a comprehensive whole. When the period arrived for discussing his measures, he laid on the table certain Resolutions which were limited to the house tax; but he intimated that the decision upon them would apply to the whole financial scheme of the Government. The debate continued for two nights, and during that period the Budget of the right hon. Gentleman had to sustain some very serious and able assaults from various Members of that House. It had to encounter the criticism of the right hon. Gentleman the Member for Halifax (Sir C. Wood), in a speech of which he would say that he believed he was expressing the opinion of every one when he described it as the most masterly speech he ever heard. It was next met by the close reasoning of the hon. Member for the West Riding (Mr. Cobden). It had also to submit to the admirable logic of the hon. and learned Member for Kidderminster (Mr. Lowe); and to stand the ordeal of the long experience, the tried ability, and the matured judgment of the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn). He (Sir A. Cockburn) wished to assume no tone of arrogance or presumption, but he thought he was justified in saying, that the result of these two nights could not lead any one to believe that the Government had acquired any strength in the debate, or any accession of supporters. On the contrary, ominous whispers and rumours passed from one side of the House to the other, and the Government began to feel that they were in a position of very great difficulty; several hon. Members who were in the habit of supporting them having intimated their intention of voting against doubling the house tax. It was perfectly well known that many hon. Members who were anxious to support the Government were not disposed to inflict on their constituencies a double house tax, not being in a position to face them after a vote of that natnre. So the matter stood on the second night's debate. Afterwards it became a matter of great political expediency on the part of the right hon. Gentleman opposite to get rid of the first Resolution for doubling the house tax by proposing to take a vote solely on the question as to the extension of the area of taxation, in order to avoid the inconvenience of having his supporters against him. This manœuvre, for he could not call it by any lighter term, of the right hon. Gentleman succeeded to a certain extent, and many hon. Members who were before in doubt, were now in a condition to vote in favour of the Government, for not only young Members but old birds had been caught in the trap which had been set for them. The hon. Member for Montrose (Mr. Hume) had approved of the course suggested by the Chancellor of the Exchequer, for after making a long speech, in which he criticised the right hon. Gentleman severely, and appeared to find much matter for reproof, he ended by saying he should vote for the Budget. He declared in emphatic terms that he objected to all increase of taxation, and yet declared he was ready to vote for the extension of the area of taxation. Matters went on smoothly and pleasantly till the right hon. Member for Carlisle (Sir J. Graham) rose. That right hon. Gentleman repeated an inquiry put in an earlier part of the evening by the hon. Member for Middlesex (Mr. B. Osborne), whether the Chancellor of the Exchequer intended to limit the question to the area of taxation? The Chancellor of the Exchequer stated that he did not intend to take the sense of the Committee on anything further than the area of taxation; twice in the same evening the right hon. Gentleman declared expressly and explicitly that he limited the Resolution to that one branch. What was the course pursued by the right hon. Member for Carlisle? He proceeded to show the Committee, as clearly as figures and demonstration could do, that the Chancellor of the Exchequer, on his own showing, would, in two years, if his financial existence lasted so long, have a considerable deficit; and he called on the right hon. Member for Stamford (Mr. Herries) the Nestor of finance in that House, to state whether he had sanctioned by his authority a Budget which granted a remission of 2,500,000*l.* on the malt duties, without first having some security for the imposition of the house tax, without which the result would be that the Minister would find himself, at the end of the second year, with a financial deficit. The right hon. Chancellor of the Exchequer, feeling that difficulty on the self-same evening on which he made the two declarations already referred to, changed entirely the issue before the Committee by stating, in reply to a question from the noble Lord the Member for the City of London (Lord John Russell), that he proposed to include in the question as to the extension of the area of taxation, the question whether or not the house tax should be doubled. Now he (Sir A. Cockburn) would ask whether such a course of conduct reflected on the credit or authority of the House, in reference to the proceedings they were called on to adopt? Was that a course of proceeding which reflected credit on the Government? When hon. Gentlemen said that they could not vote for the Government, though anxious to support it if possible, but that they would excite the wrath of their constituents by increasing the area of taxation, or at least by doubling the house tax, it might well be asked whether, to meet the exigency of the hour, and for the sake of catching a few stray votes, it was a worthy course for the Government to change the whole tenor of their conduct? The whole difficulty in which the Committee had been placed was the result of the course pursued by the right hon. Gentleman; but there could be no longer any doubt that the Committee were to express their opinion by their votes, not only on the question whether the area of taxation should be increased with reference to the house duty, but on the question whether that duty should be doubled. That he understood to be the question for decision; for unless they assented to the twofold proposition it would be impossible to remit the duty as proposed by the Government. He perfectly agreed that it was right to put the house tax prominently forward, for as the right hon. Chancellor of the Exchequer had truly said, it was to form the key-stone of his whole financial fabric. He at once met that proposition, as far as his humble voice went, with a clear and decided negative. It was not enough to maintain that direct taxation was a legitimate form of taxation; they must show more, namely, the necessity and justice of increasing the area of taxation, and doubling the amount of the house tax. Now, what were the arguments on which they were called upon to impose these new taxes and increase the area of taxation; to impose new taxes on the occupiers of houses which were hitherto exempt, and, furthermore, to extend the income tax to persons who formerly did not pay it? The favourite argument urged over and over again in the course of the debate was, why should persons, possessing an interest in household property below a certain amount, be exempted from contributing a fair share to a particular form of taxation? He freely admitted that when the question was put in that naked and abstract way, it was extremely difficult to give a satisfactory answer. But the hon. Member for Middlesex (Mr. B. Osborne) had placed the matter in a clear light. He said, that before an answer could be given, they must take into consideration the surrounding circumstances of our complicated system of taxation as it existed at present in the country, and to adjust or rectify its startling irregularities —he had almost said its iniquities—in reference to the poorer classes of the country, before they thought of including those classes under a direct system of taxation. Perhaps hon. Members were not fully aware of the extent of the inequality which existed with respect to indirect taxation between the upper and poorer classes of the country. The right hon. Baronet the Member for Carlisle (Sir J. Graham), pointed at the startling fact, that the indirect taxation of the country, which was paid by the great mass of consumers, amounted to no less a sum than 35,000,000*l*. The great majority of those consumers spent almost all, if not the whole, of their resources on the absolute necessaries of life, and it was on those necessaries that indirect taxation was imposed with such great inequality. It would therefore be gross injustice to impose additional taxation on persons who were oppressed by the burden of indirect taxation, until the inequalities were remedied. He would take first the article of tobacco, which was very much consumed by the poorer classes, and afforded comfort and solace to them after the toil of a hard day's work. The Committee would see the proportion of indirect taxation which was paid on this article by the labouring classes. The lowest return of the current price of manufactured tobacco was 3¼*d*. per lb., the highest 1*s*. 4*d*.; on this there was a uniform duty of 3*s*. on the lb., so that on the cheaper sort, the consumer had to pay a duty equal to 1,125 per cent, while on the more expensive quality the consumer did not pay more than 225 per cent, the difference being 900 per cent between what the poor man and the rich man had to contribute in the shape of indirect taxation. Then as to cigars, the lowest price was 7*s*. 6*d*. per lb., and the highest 19*s*.; and as the duty on each was at the rate of 9*s*., it followed that the purchaser of the one paid 120 per cent, and of the other only 47. On wine the difference was enormous, the percentage as regarded indirect taxation being 676 on the inferior article, and only 22 on the higher class of wines, which were consumed by the wealthy classes. Then as to spirits, the inferior class of brandy paid 310, and the higher class 118 per cent of indirect taxation. So he might go through a long series of articles. These facts, it would not be denied, afforded a strong argument against the extension of direct taxation to the class who paid such a disproportionate amount of indirect taxes. As a general proposition he should say, that on the whole of those articles consumed by the great mass of the community, the difference was enormous between the percentage in the shape of taxation taken from the poor man as compared with the rich. He always understood that the reason why the late Sir Robert Peel limited the income tax to 150*l.* a year, and the right hon. Member for Halifax (Sir C. Wood) did not extend the house tax below houses of 20*l.* a year was, that, by drawing such a line, the working classes, who consumed a lower-priced article, and therefore paid more in indirect taxes, should be exempted from any additional burden by an extension of direct taxation. Unless a corresponding amount of indirect taxation was taken off, it would be the height of injustice to make the rich and the poor alike liable to the same rate of direct taxation. There was a manifest fallacy in the argument that that House was justified in imposing direct taxation, because it was a good form of taxation. It might be very eligible and convenient, but they had no right to adopt it unless they conferred some corresponding advantage in another shape on the payer of indirect taxes. All taxation was a very bad thing *per se*, and was only justifiable by the corresponding benefit which was given to the taxpayer. He had no doubt if a time of emergency came, when it was necessary to increase the amount of taxation, the poorer classes would readily and cheerfully submit to additional burdens on account of the protection which they derived; but until that hour arrived, the question as to the extension of taxes to these classes ought to be treated with the greatest caution, and reserve, and delicacy, and not with any haste or rashness. On this subject they might imitate the example of the Athenians, who deposited their riches under a statue, to be there kept until the last day of the national emergencies. Had the right hon. Gentleman made out a case of State necessity, or had he shown corresponding advantages to those classes? As to State necessity, there was avowedly none. The right hon. Gentleman admitted that he had already a surplus for the ensuing year; and, looking forward to another year, he stated that he should have a surplus of very nearly 1,500,000*l.* That surplus was not intended as a provision for any increased expenditure proposed by the right hon. Gentleman; therefore State necessity there was none. What object could he, then, have for increasing the taxation of the country? With regard to the tea duty, he believed that great benefit would result to the consumer from the remission proposed. But that remission was not to take place all at once; it was to be extended over six years. That circumstance showed that there was no necessity for hastily imposing new taxes with a view to make provision for the deficiency which would be caused by that remission. He (Sir A. Cockburn) did not himself believe that there would be any serious falling-off in the amount of revenue; for it was his opinion that in the case of tea, as in many other instances, a diminution of the tax would lead to increased consumption; so that, in the result, there would be very little or no deficiency. At all events, it would be quite time enough to extend taxation to the poorer classes when a deficiency had actually arisen. But admitting that a deficiency did arise, why could not the right hon. Gentleman meet it out of the surplus, and afterwards it would be time enough to call upon the House to sanction increased taxation? The right hon. Gentleman then proposed to remit one-half of the duty on malt, repudiating at the same time the idea of making the remission a compensation to the agricultural interest. If the remission was not to be viewed in the light of compensation, he did not know how else to view it, seeing how often the right hon. Gentleman and his Colleagues and supporters had argued in favour of compensation to the land for the injuries it had sustained by the infliction of free trade. After all those arguments, the right hon. Gentleman was scarcely justified in accusing the Committee of suspecting that it was now his intention to bestow that relief which he and his party had always advocated. Let the Committee remember the tone which had been held by the right hon. Gentleman and his Colleagues on the hustings and at agricultural meetings, and the manner in which they had told their supporters that compensation was due to them for the injuries entailed upon them by the free-trade legislation of the last five years. The language held on the hustings by the right hon. Gentleman and his Colleagues was, that, as protection was now laid aside for ever, compensation was to be sought by some new adjustment of the entire system of imperial taxation, by which conflicting interests, amid rival classes, should be brought into harmonious action, and by which the agricultural interest would find the means of relief from the burdens it had sustained. Such being the case, the very first measure which the Government brought forward was the partial remission of a tax which had long been described as pressing heavily upon the agricultural interest. How, then, could the right hon. Gentleman be surprised if the Committee considered the remission of this particular tax as a species of compensation? and how could he wonder that the humbler classes, who now found themselves exposed to a species of taxation which had never been inflicted upon them before, should charge the Government, in their resentment and vexation, with ministering to the interests of a particular class at their expense? It might be very well to admit compensation yesterday, and disown it to-day—to advocate protection one day, and to disavow it to-morrow—but let not the Members of the Government be blamed if the Committee imputed to them intentions which they themselves had deliberately expressed their intention to carry out. But would the remission of half the malt tax be of any appreciable advantage to the class whom it was proposed to benefit? Would it be of the slightest use to the agricultural interest? He did not believe there was a single hon. Gentleman on the opposite (the Government) side of the House who would rise up and avow his conviction that the remission of half the duty on malt would be of the slightest appreciable advantage to them. Would it have the effect of increasing the breadth of barley grown? No. They all knew that the lands capable of producing barley were of limited extent, and that such was the demand arising from the consumption of malt liquor, and from the prohibition of the importation of foreign malt, that the lands capable of producing malting barley were cultivated to the utmost extent. ["No, no!"] He could only say that he had been assured that the fact was so, both by Gentlemen in the House and out of it. There was no one who had listened to the conversation of groups of Members in that House, or in the lobby, who did not well know the general opinion to be, that the agricultural classes would derive no benefit whatever by the proposed remission of part of the duty. If the proposition of the Government was to repeal the whole of the tax, then he could understand that they had a case to go upon? When the right hon. Gentleman the Home Secretary the other night taunted Gentlemen on the Opposition benches with having on former occasions expressed an opinion that the malt tax ought to be repealed, he forgot to observe that that opinion was not with reference to the interest of any particular class, but that it was with a view to serve all classes equally. The right hon. Gentleman also forgot to notice that the total abolition of the tax was a very different thing from a partial remission of it. He complained of the partial repeal of the tax, on the ground that while all the evils incidental to the tax were continued, no benefit whatever would accrue to the producer or the consumer. The present costly mode of collection would be maintained. The system of fiscal police and domiciliary visits were also to be retained, while the cost of collecting the tax would obviously be doubled. And this was what was called a boon to the agricultural classes. Let them next consider what good would be done to the consumer, whose interest, after all, was the most important. They were about to double the house tax on the rich, and to extend it to the poor who had never paid it before. No hon. Member on the other side of the House had ventured to contend that the amount of diminution in the price of beer would be of the slightest benefit to the consumer at large. An argument had been made use of by a speaker at one of the metropolitan meetings (the Marylebone, he believed), against the increase of the house duty, which struck him as very much to the point. The speaker said that he was going to be taxed, although he had never been taxed before—that his house was to be taxed for the first time, but that he was to have a set-off in the shape of a reduction in the price of beer. That reduction would amount at the very outside to one farthing per pot, and reducing the number of pounds which he would have to pay as a house tax (3*l.*) to farthings, the result was that he would have to drink a great many thousand pots of porter before he could derive the smallest possible benefit. The right hon. Gentleman the Home Secretary entered upon a scientific argument on the subject of direct taxation as contradistinguished from indirect taxation. Now, he (Sir A. Cockburn) contended that they ought not to impose a new tax because it happened to be a direct tax, unless some countervailing benefit to the payer of that tax would accrue from it. He had himself spoken the other day to a gentleman engaged in agricultural pursuits, and who was a stanch supporter of the Government, and he had asked him what he thought of the Government project of relief, and what was his opinion of the partial remission of the malt tax. His reply was, "It is very bad, but we must grin and bear it." He (Sir A. Cockburn) contended that the right hon. Chancellor of the Exchequer had no right to call upon Members to tax their constituencies unless he could clearly show a corresponding benefit to be derived. If the consumer and the producer alike declared that they could see no appreciable benefit by the proposed changes, where was the merit of this new scheme of finance? They had all heard it said that the Government was about to introduce a new policy of finance which was to reconcile all classes in the country, but surely this financial scheme was not the fulfilment of that high-sounding promise. The fact was, the right hon. Gentleman opposite and his Colleagues had made such promises as the political expediency of the hour required; promises which neither he nor any other man could perform. Having denounced protection, it was necessary to hold out to the agricultural classes something which should insure to them a prosperous future, and give to them compensation for the past. It was also necessary to do something else. The candidates must be furnished with topics on which to address the constituencies. It was therefore very grandly proclaimed that there was to be a new system of taxation; something that should bring the interests of the inhabitants of the towns into perfect harmony with the interests of the inhabitants of the rural districts. Well, after all, what had the right hon. Gentleman done? Literally nothing. He had not satisfied either party, and why? Because he had made promises with reference to the subject of finance which he could not possibly realise. He (Sir A. Cockburn) owned that he had expected great things from the right hon. Gentleman. It had been the fashion among those with whom he was associated in politics to cry down the Budget, and to say that it would come to nothing. He (Sir A. Cockburn) had always entertained a contrary feeling, having the fullest confidence in the genius and unbounded ability of the right hon. Gentleman. He had indulged in the hope that the country wus about to see a new financial Prometheus, who would bring the fire of genius to illuminate the dark and dreary waste of finance, and before whose presence poverty, misery, and privation would be driven away, and all the conflicting and jarring interests of society be blended together in harmony and peace. But what had been the result? Instead of those happy realisations, the half of the malt tax was to be taken off, and the constituencies of the country were to put their hands in their pockets and pay double house tax. For these boons the right hon. Gentleman the Chancellor of the Exchequer had received a dose of praise from his right hon. Friend the Secretary of State for the Home Department, which would make him sick of adulation for the rest of his life. That laudation seemed to him to savour very much of a funeral oration, and to resemble the eulogium pronounced upon a departing friend—

> "Sic ubi fata vocant, udir abjectus in herbis.
> Ad vada Mæandri, concinit albus olor."

Now, he put it to the House whether it was wise or statesmanlike, at such a moment as this, to meddle with the financial arrangements of the country? He asked whether it was prudent, in a time of perfect peace, to impose direct taxation upon a class of persons who had previously been exempted from taxation, and to create a mass of heartburning and strife, unless it was possible at the same time to confer a great political boon upon them. The right hon. Gentleman opposite was placed in the unfortunate position of having made promises to meet the purposes of a moment which even his great genius could not possibly enable him to fulfil. He (Sir A. Cockburn) declared himself disappointed with the whole financial scheme of the Government. Still he had some consolation even in this disappointment. One was always unwilling to admit that one's confidence had been misplaced, and was naturally anxious to apply the flattering unction to the mind that one was not altogether in the wrong. The right hon. Gentleman the Chancellor of the Exchequer took the whole vacation to ponder over and develop this new scheme of finance. The time and the hour at length came when it was to be made known to the world. Now he (Sir A. Cockburn) did not believe the right hon. Gentleman was capable of producing such a pitiful abortion as that Budget which had been placed before them. He believed that the veritable Budget had been stifled in its birth by certain respectable financiers and political economists of a bygone day, who were so astonished and frightened at the gigantic proportions of the infant Hercules, that they strangled it forthwith, and substituted this wretched, puling, ricketty changeling, whom the mother, in a moment of maternal forgetfulness, had accepted, thinking it was better to have it than nothing at all. He believed, however, that the time would yet come, though the right hon. Gentleman had much to get rid of in the meantime, when he would show the great genius he possessed, and prove that he was not only a consummate debater and politician, but an accomplished financier. There was one portion of the subject which he had not yet touched, and that was, the effect of the increased house tax upon the representation of the country. This was a subject which ought not to be lost sight of. One great argument urged in favour of an extended area of taxation was, that taxation and representation should go hand in hand together; and that if a man was represented he ought to be taxed. Now nothing was more convenient than to take a leaf out of an adversary's book; but if hon. Gentlemen did so they must take it with all its incidences and consequences. The right hon. Gentleman who had urged that argument forgot that when he (Sir A. Cockburn) and those on the Opposition side of the House adopted it they did so in maintenance of the principle that representation ought not to stop at the 10*l.* householder, but should include everybody that contributed to the taxation of the country. Were hon. Gentlemen on the Ministerial benches prepared to go that length? They knew they were not. The right hon. Gentleman the Chancellor of the Exchequer knew that his party would make no such concession; and while urging that argument they knew that they were putting forth a hollow and frivolous pretence, and that they meant nothing by it. He would test them by putting a practical question. They were going to impose a duty on the 10*l.* householders: would they extend the right of voting in counties to the 10*l.* householders? If he could only obtain a confession that they were ready to do so, then he should not have spoken in vain this night. The right hon. Gentleman the Home Secretary had expressed an opinion the other evening, that, merely for the sake of escaping a tax of 15*s.* a year, the 10*l.* householders would not relinquish their right to the franchise. He (Sir A. Cockburn) dared say that a sum of 3*l.*, which was the amount of the income tax and house tax together upon a 10*l.* householder, would appear to be a very small sum in the eyes of hon. Gentlemen in that House; nevertheless it was of considerable moment to those upon whom it would fall. It would influence the amount of schooling which their children would receive; it would make a difference of a suit of clothes to every man in the course of a year; it would force them to yield up those little luxuries and comforts which formed almost their sole enjoyments in life. It was all very well to tell him that the electors of this country did not care about the franchise. The right hon. Gentleman opposite (Mr. Walpole) had tauntingly observed that a very limited proportion of the enfranchised exercised their rights. But why was this? It was not because they did not value the franchise, but because an immense amount of intimidation was brought to bear against them which deterred the electors from using their privilege. He was very glad to hear the fact recorded by the right hon. Gentleman the Home Secretary, that a large portion of the electors did not exercise the electoral franchise, which they were supposed to do by the spirit of the constitution.

MR. WALPOLE: I do not know that I ever made such an observation.

SIR ALEXANDER COCKBURN: It was exceedingly possible that he did not remember the hon. Gentleman from whom the observation came, but fallen from some hon. Gentleman on that (the Government) side of the House it certainly had, and he recollected perfectly well turning round to his hon. Friend the Member for Bristol (Mr. H. Berkeley) to attract his attention to it. Nevertheless, if a great proportion of the constituency of the country were prevented from exercising the franchise already, why further limit and diminish their number, by cutting off the 10*l.* householders? He did not mean to affirm that if it was a matter of public necessity or expediency, he would hesitate in calling upon those classes to contribute to the taxation of the country; but that unless a strong and powerful case of this kind were made out, it would be impossible to justify the imposition of a new tax of the kind. Well, if taxes were to be removed in order to enable the Government to add to the direct taxation of the country, he would ask—have you selected the most eligible tax? It had been already shown that by the reduction of one tax which was proposed, benefit would neither accrue to the landed nor consuming interests. In the case of the tea duties, the remission might have proceeded to a much greater extent. Look again to the soap duties, an article of paramount importance, not only as regarded the comforts of the poorer classes, but as regarded their sanitary condition, their health both of body and mind; for he (Sir A. Cockburn) believed that observation of the philosopher to be a sound one, which asserts that cleanliness is one of the first conditions in morality. Again, let them take the wine duties. The present tariff on the import of wines drove the poorer classes to those distilled spirits which were alike destructive both of mind and body, for the present duties bore with undue pressure upon the cheaper descriptions of wine in such a manner as to render their importation a matter of commercial impossibility. There was also the tax upon paper. He had hitherto been speaking of articles which merely affected the physical condition of the people, but here there was one which had retarded their moral and intellectual advancement. Why had they not proposed to take off the duty upon paper, which would confer a benefit upon the poorer classes, and retain the duties upon beer, the reduction of which would rather injure than advance their condition? If he (Sir A. Cockburn) excepted his proposal to reduce the duties upon tea, the whole Budget of the right hon. Gentleman was superlatively bad. Certainly, there was one point on which the Chancellor of the Exchequer was entitled to the best thanks of the industrial classes—he alluded to his proposition to graduate the income tax. The right hon. Gentleman had therein recognised a principle upon which the common sense of mankind had long been at direct issue with the subtle and perverse projects of financiers. He (Sir A. Cockburn) had always maintained that it was most unjust to tax precarious incomes in the same proportion as incomes derived from landed or funded properties. For this the right hon. Gentleman was entitled to the acknowledgments of the industrious classes, and, as one of these, he (Sir A. Cockburn) proffered his. On the whole, however, he discerned nothing but mischief, nothing but evil, in the taxation which he proposed to impose upon one class, for no corresponding benefit would accrue to any other. He felt that, let them call it as they would, class legislation or not, whether it had its origin or not in such motives, the people upon whom, for the first time, they were imposing new taxes would have no doubt upon the point; it would have the effect of stirring up class against class, and create bickerings and heartburnings difficult to terminate, and they would do all this without any addition to the prosperity and comfort of the great mass of the people.

MR. WHITESIDE begged permission to remark, in return for the admonition addressed to the hon. Member for Belfast (Mr. Davison) by the hon. Member for the West Riding (Mr. Cobden) on a former occasion—that the best course for a representative from that part of the kingdom to pursue on a subject of national interest was to maintain silence—that on every question of Imperial policy the representatives of Ireland had as full a right to form and to express an opinion as their Scotch or English brethren. No question could be raised affecting England which did not affect every good Scotchman and every good Irishman also. The hon. Member for the West Riding had shown, by that admonition, that in the multifarious occupations of his busy life he had not been able to study the principles of Parliamentary representation. He suspected, however, if the hon. Member for Belfast had sat on the other side of the House and condemned the Budget, the hon. Member for the West Riding would have approved the spirit of his observations. The question the House had to deal with was partly of a fiscal, and partly, and perhaps more properly, of a constitutional character. One consideration raised by the right hon. Member for the University of Cambridge (Mr. Goulburn) had forcibly arrested his attention, and it was that in which he understood the right hon. Member for the University of Oxford to sustain him—namely, that the proposition of the Chancellor of the Exchequer to deal with incomes arising from Irish funded property was a gross breach of national faith, and a fraud on the public creditor. He admitted, that if that argument could be established, there was, as an hon. Member had observed, an end of the Budget, and that it ought to be rejected by the House with scorn and contempt. But was it so? The answer to the question lay in the narrowest compass. The 5 *Geo.* IV. assimilated in substance and effect the funds in Ireland to the funds in England, and provided that they might be transferred and the dividends paid in the same way, without cost or expense. The 5 & 6 *Vict.*—the Income Tax Act—which must be right, as it was passed by Sir Robert Peel, who was the great authority quoted in the House on all matters of finance, and to which the right hon. Member for Cambridge University was a party, exempted the land of Ireland; but it taxed—not the funds, but the dividends arising from funded property, whether in Ireland or in England; but, by a subsequent section, it exempted persons who resided in Ireland, and by section 90 it explained what residence in Ireland was, and provided that any one who could endure existence in that country for six months in the year, was within the exemption, and would escape any reduction of his dividends. By sec. 25 the governors and directors of the Bank of Ireland were appointed to act as commissioners for adjusting the assessments on annuities and dividends to persons not resident in Ireland. What was the practical result of that legislation? An English gentleman having property in the funds in England and in Ireland, was taxed on the dividends received in each country. A person holding funds in Ireland received the same dividends on the same day, and with all the same advantages, as the English holder; but he was not taxed if residing in Ireland, and yet there was no other difference between the two, for the Irish fundholder could transfer his stocks to the English funds when he pleased; and the owner of English funds could do the same with regard to the Irish funds. The rule laid down by Sir Robert Peel was, that no deduction was to be made from the dividends of the Irish fundholder when in Ireland; but when the fundholder crossed the Channel a deduction was to be made. It was with that exemption the Chancellor of the Exchequer proposed to deal. Did it rest on any characteristic of the income? No. On any quality of the fund? No; it rested on the single fact of residence in Ireland, and it was an exemption indefensible in principle and mischievous in practice. It was mischievous in practice, because the fundholder in England might fairly say, "You make me submit to a deduction from my dividends, because my portion of the fund is in England; but if I go across the Channel I escape." Was it to be said that a proposal to remove such an exemption involved a breach of national faith and of the public credit? There was no one respected the right hon. Gentleman who made that observation more than he did, for his moderation of sentiment and his knowledge and experience; but the right hon. Gentleman ought to remember, that the weight of an accusation was in proportion to the gravity and station of the person who made it. He had listened to the speech of the right hon. Gentleman when he sought to prove his charge; but he must say he had had the misfortune not to be able to apprehend the argument by which he proved that this breach of faith had been committed. The Chancellor of the Exchequer further proposed to apply the same rule to salaried officers in Ireland as in England; they were paid alike out of the Consolidated Fund. The Treasury could remove the officers so paid from Ireland to England, or from England to Ireland. But in England the salaried officer was compelled to submit to the deduction—if he went to Ireland he escaped. Ireland was, however, the cheaper country of the two, supposing that, as was likely, the officer was not exposed to the poor-rate; and he could not see how the removal of this exemption would have the effects imputed to it. The right hon. Member for Carlisle (Sir James Graham) had discussed the question in a luminous speech; but, with great respect for the right hon. Baronet, he must say he fell into an error in the case which he adduced as an illustration of his argument. He said the Attorney General for Ireland had a certain income, which might be considerable; his clerk had, perhaps, 100*l.* a year. And then, said the right hon. Gentleman, your legislation will exempt the Attorney General, but you will inflict this tax on his clerk. Now, that was exactly the reverse of the fact. [Sir JAMES GRAHAM: I beg pardon—I did not allude to the official income of the Attorney General. I expressly said I alluded to his professional income, and I did not speak of him as Attorney General, but as an advocate in possession of a large income.] That did not alter the case. The salaried officer contemplated was an officer paid by the Consolidated Fund, and every person paid out of that fund would be taxed. And thus the Attorney General, who has a salary from the Consolidated Fund, would be taxed, and the clerk would not be subject to any deduction whatever of this kind from his salary. [Sir JAMES GRAHAM again said he had referred solely to the income derived by the Attorney General for Ireland from his professional exertions.] The Attorney General for Ireland would not be liable to the payment of the tax as regarded his professional emoluments; but neither would his clerk be subject to the tax, because the proposal to extend it to salaries had reference solely to salaries paid out of the Consolidated Fund. He was not arguing for the policy of this taxation at present, but meeting the extraordinary argument of the right hon. Gentleman the Member for the University of Cambridge—because he was quite ready to admit, if hon. Members opposite pleased and insisted on it, that residence in Ireland for a certain time might justify an exemption. The existing income tax operated in some respects in a very anomalous manner as regarded Irish property. Let them take the case of the absentee—a class for whom he had no manner of respect, and to whom he desired to show no measure of mercy—and see how he was treated by this Act of Parliament, which was said to be of such sense and wisdom. If a nobleman drawing 50,000*l.* a year from Ireland paid it in to his banker in this city, he paid the income tax on it; if he went to Paris, and the money was sent over to his banker's there, he did not pay any income tax; and even if he lodged his money in an Irish bank, and lived here, and paid his bills by checks on that bank, he escaped payment of the tax. That was a point which he thought it would be necessary for them to consider when they came to a Committee on the Bill. It might be observed, in reply, that his argument on this point went far to prove that the land of Ireland should pay the income tax as well as the fundholder and the salaried Government officer. That was a very fair question, and one to which he would attempt to give an explicit answer. The right hon. Gentleman proposed to exempt the land, and he (Mr. Whiteside) submitted he did so on principle, and very properly. The hon. Member for Marylebone (Sir B. Hall) had proposed to extend the income tax to the landed property of Ireland; and that question was to be met, not by taunts against the hon. Baronet for introducing such a proposition, but by convincing his judgment that a tax on the land of Ireland would be injustice on injustice. It was not necessary for him to enter upon the history of the fiscal arrangements between the two countries at the time of the Union, or to remind the House how Lord Castlereagh declared at the time that the taxation of Ireland would henceforth be much less than it had been; how the right hon. Member for the University of Cambridge had frankly stated his belief that the burdens on Ireland were more than she could bear; or how Lord Sydenham had exclaimed on one occasion that the taxation of Ireland was enough to bring the blush of shame to the cheeks of every British Minister. Just let the House consider the subject of the poor-rates alone. He was not appealing *ad misericordiam.* He scorned such an appeal to that House. If it was just that Ireland should pay this tax on her landed property, let them apply it at once; but he asked them to see how the matter really stood on that ground. Before the noble Lord the Member for London inflicted his Poor Law on Ireland, he sent over a Commissioner to report on her social condition. A Commissioner was generally a person who knew nothing of the country he was sent to before he set his foot on its shores, and very frequently gained but little knowledge of it after, or mistook what he saw; but Mr. Nicoll was a man of ability, and his opinion was entitled to respect. He was sent over to examine into the whole social system of Ireland to make out a case for taxing that country, and to tax it with moderation for the introduction of a poor relief system. The result of his labours had been given to the House. That gentleman drew up a very able report—having persuaded himself that most persons he met in that country were in favour of the necessity of a poor-law—in which he said that a poor-law might be framed for Ireland, excluding external relief, and allowing only workhouse relief, except in cases of famine; and he estimated that that poor-law might be worked for a very moderate sum indeed. In the first year he calculated that if the workhouses were quite full, the cost would be 312,000*l.*; if they were three-fourths full 260,000*l.*; and, if only one-half full, 208,000*l.* On the faith of that statement the poor-law was introduced into Ireland; but what was the fact? What had been the tax upon the land, which neither the fundholder, nor the mortgagee, nor the annuitant paid? In the first year it was below Mr. Nicholl's estimate, and was only 37,000*l.*; in the second year it was 110,000*l.*; in the third year, 1842, it had increased to 181,000*l.*; in the fourth year it was 244,000*l.*; in the fifth year, 271,000*l.*; in the sixth year, 316,000*l.*; in the seventh, 435,000*l.*; in the eighth, 803,000*l.*; in the ninth, 1,835,000*l.*; and in the tenth year, 2,177,651*l.* Now, it was on that state of things that he (Mr. Whiteside) grounded his opposition to the extension of the income tax to the landed property of Ireland. He objected to the land of Ireland being subjected to any further tax when Parliament had, by its previous legislation, rendered it impossible for the landholders to bear it. Again, the corn laws had been unconditionally repealed, and the Irish landlords had said least about it, although they suffered most; and then to that abolition and the imposition of the poor-law had been superadded the Encumbered Estates Act, which sold out the landowners after their ruin had been completed. Now, he submitted that there was a clear, strong, plain ground upon which they ought not to extend this income tax to the land of Ireland, whatever might be thought proper in the case of funded property and salaried officers. Upon the general question it appeared to him that the very masterly arguments addressed to the House by the distinguished Gentlemen who, from time to time, had furnished the House with the opinions which they were so competent to give, had very much cleared the way and lessened the points of dispute. All were agreed that the relief to the shipping interest contemplated in the Budget was highly commendable. In the next place, all appeared to be of opinion that the duties on tea ought to be reduced; so much so, indeed, that the late Chancellor of the Exchequer, it seemed, was, when in office, on the very point of framing a measure to accomplish the same thing, but the hurry of recent events disabled him from executing his plan. He was very much gratified to hear the eulogium pronounced by the hon. and learned Gentleman (Sir A. Cockburn) upon the system of graduated income tax; therefore upon that point, also, it was clear they were agreed. He (Mr. Whiteside) had endeavoured to satisfy the House upon other points. What, then, remained to which objections were urged? Two very important questions—one, the increase of the house tax, and the extension of its area; and the other, the proposed diminution of the malt duty. Now, of all the speeches to which he had listened upon the financial scheme of the Government, that of the hon. and learned Gentleman the Member for Kidderminster (Mr. Lowe) had certainly made most impression upon him for the clearness and fairness with which these questions were argued. The hon. and learned Member, whose meaning it was impossible ever to mistake, said, and said fairly, that the duty on malt was not desirable or defensible on economical grounds; but he argued that, as a matter of revenue, the duty could not be given up, and that if it were it would be no benefit to the consumer, in consequence of the monopoly enjoyed by the brewers. Now, the hon. and learned Gentleman, by his admission in words that a tax upon raw material was not defensible upon principle, justified the attempt at least to deal with the malt tax. But scarcely had the hon. and learned Gentleman concluded his other argument, that no benefit would result to the consumer by the remission of this tax, and scarcely had he finished descanting upon the monopoly and exactions of the brewers, than up started the hon. Member for Derby (Mr. Bass)—the practical manufacturer against the ingenious theorist—and he controverted every word the hon. and learned Member had spoken. The hon. Member for Derby showed the House, in shillings and in pence, what would be the benefit to the consumer by the contemplated remission; from which it appeared that the 10*l.* householder would gain between the reduction in the malt and tea duties very much more than was to be imposed upon him by the extension of the house tax to his tenement. Moreover, the hon. Member stated that there was a debt due by the brewer to the public consequent upon the reduced price of barley, and that if this proposed remission were carried, it was probable that both the original and the present debt would be paid largely and liberally to the public. If, then, he were to believe the statement of the hon. Member for Derby, the argument of the hon. and learned Gentleman ought not to prevail with the House. Upon what principle was the malt tax justified? It was said by hon. Gentlemen opposite that a tax upon the people's food was wrong. Now, he wanted them to prove that the tax upon malt differed from other duties upon articles consumed by the people. The right hon. Baronet (Sir J. Graham), in one of his ablest speeches spoken during the Administration of the late Sir Robert Peel, had given all the weight of his authority and the force of his arguments to the view of the case at present adopted by the Government; and he had said that if Parliament dealt with the corn laws the malt tax was so connected with them in principle that, if the tax upon corn were taken away, it would be impossible to retain that upon malt; in a word, the right hon. Baronet said that the repeal of the one tax must be followed by the repeal of the other. But notwithstanding that the prophecy remained unfulfilled, the value of the argument still remained; and he (Mr. Whiteside) would avail himself of the argument of so great a master of the subject—an argument which nobody had succeeded in answering during the whole of the present debate. The hon. Member for Wolverhampton (Mr. Villiers) had distinctly said the same thing, and had admitted the connexion between the corn laws and the tax on malt; and he had told the farmers that if they would join with him in abolishing the one, he would help them to get rid of the other. It was then not to be wondered at that country gentlemen should be mistaken in the matter, considering the thickness of their understandings, much less the Bœotian farmers and labourers—especially when they found that superior authority the hon. Member for the West Riding positively and distinctly declaring to the farmers that he had a sympathy with them on the subject of the malt tax, and that he would undertake, if the corn laws were repealed, to get that tax abolished also. And, now, what did the hon. Gentleman propose to do for the farmers? Why, to his (Mr. Whiteside's) great surprise the hon. Gentleman discussed the subject now on sanitary grounds, and brought forward a certificate signed by fifteen doctors to the effect that malt liquor was not good for the stomach. The hon. Member had given the people bread, and he appeared to wish now that they should have bread and water. He (Mr. Whiteside) must say that, recollecting the hon. Gentleman's former argument, urged as it was with "eloquence unadorned," he could not help thinking his present language contrasted remarkably with it, and he could scarcely preserve the gravity becoming a deliberative assembly when he heard the hon. Member, on the authority of a trashy medical certificate, giving over the people to pills and physic, instead of allowing them to drink the beer and ale to which they had for centuries been accustomed. There was only one other point, and that was the constitutional question referred to by the hon. and learned Gentleman who had last spoken. His argument was, that indirect taxation pressed heavily upon the working people and small householders. Agreed. And what was the reason it was now proposed to reduce the duties on tea and malt? Because it was an indirect taxation. And how were they to repeal these duties, and to mitigate the evils of indirect taxation, if they did not take the course proposed by the Chancellor of the Exchequer, and substitute a direct tax? Although hon. Members were right in saying that it would have been better to abolish the whole of the malt tax, they would find it difficult to convince the farmer and the consumer that one-half was not better than none. But then came the interesting and constitutional question of whether they ought or ought not to subject the 10*l.* householders to the tax paid by the 20*l.* householders; and he had been unable to discover a shadow of argument during this debate to justify the Parliament of this country in exempting that class from the operation of a tax which was admitted to be a just one; which was established because it was a wise mode of obtaining revenue, admitted of no evasion, and was easily collected. No clear or satisfactory argument had been offered to show that it was a constitutional thing that some 350,000 electors, holding political power, should not contribute to the direct taxation of the country. The hon. and learned Gentleman (Sir A. Cockburn) had said that they contributed something to indirect taxation. Well, but so did the 20*l.* householders; and upon what principle were the 10*l.* householders to possess the franchise, and outvote the former, when they did not pay direct taxes? Upon what principle was a large body of men holding supreme political power enabling them to tax other people not to be equally taxed themselves? Mr. M'Culloch had been quoted upon this subject, and this writer, in the course of his observations upon the house tax, made a reflection bearing upon the very point before the Committee, recording an opinion, from which no unprejudiced man in this country would dissent, that he was unable to apprehend why or wherefore the political franchise was to be given to the 10*l.* householders while they were at the same time to be exempt from contributing to the house tax. No authority could be quoted against this opinion; and if this, as he believed, were the great question now before them, why should the hon. and learned Gentleman imagine that he would argue the Committee out of their convictions by telling them that the 10*l.* householders were so averse to the proposition, and certain boroughs so objected to it, that the Members for those places would be afraid to look their constituents in the face if they voted for the increase and extension of the tax? This principle, if carried out, would be a deadly blow to Parliamentary representation; but he trusted that such representations would not influence the Committee, and that, if they were of opinion that the tax were a just one, they would vote for extending it, and would not be affected by other considerations than by a sense of what was due to their own judgment, their own self-respect, and to the good of their country.

VISCOUNT DRUMLANRIG said, he would remind the Committee that the Scotch agriculturists, at least, had not been in the habit of publicly asking for relief in consequence of legislative changes; and he would appeal to hon. Members whether Scotland deserved to be singled out in order to be victimised by this Budget, for the purpose of allowing the right hon. Gentleman to extend to some few and favoured localities the remission of the malt tax? In his opinion the farmers of Scotland had not once entered into the minds of Ministers in the course of the last ten months, for their exclusive attention had been given to the English farmer. But, though he did not wish invidiously to contrast the conduct of Scotch farmers, during the last six years, with the conduct of the English agriculturist, he might at least be permitted to say, that in Scotland there had never been any suing in *formâ pauperis* for assistance from the Government. The Resolution which the Committee was now discussing, must, he supposed, be taken as the results of the promises of relief held out to the agriculturists by the right hon. Gentleman as "looming in the future;" and, as a representative of a constituency which was one of those spoken to, he would ask the right hon. Gentleman whether he wished it to be believed that he had redeemed those promises, or whether he had not been guilty of a cruel and a heartless hoax? They had been told that the British farmer was a primitive sort of person, who would believe anything he was told; but he (Viscount Drumlanrig) said they (the Ministerial party) had rashly and recklessly misled the British farmer. ["Oh, oh!"] They had rashly and recklessly misled him by false hopes and by impossible promises, and they had made him a laughing-stock to the whole community at large. There was in this world a knowledge which experience alone could give, and he trusted, if ever the British farmer should be again in similar circumstances, he would profit in the future by his knowledge of the past, and not trust those who had made political capital of him; and, though the hon. Member who spoke last threw a taunt at the hon. Member for Manchester (Mr. Bright) on this subject, he (Viscount Drumlanrig) had not the slightest hesitation in saying that the farmers of England could tell by their own knowledge who were their best friends. The Resolutions contained in the Budget, after all, were nothing very startling, or, at all events, nothing very novel — all things were to be put right by taking off some old and well-known taxes, and other equally old and equally well-known taxes were to be increased; but he regretted it would not, as had been predicted of it, "put an end to the war of classes." His complaint against it was this, that in Scotland, while it would cause an increase of taxation in some respects, there would be no deductions whatever. The Scotch farmers would tell them that a remission of half the malt tax, so far as it went, would do them no good, for they consumed little or no beer; and he believed that any Gentleman who had ever tasted the hospitality of the Scotch farmers would confirm him in saying that he never saw beer on their tables. As far as the propositions respecting the house tax went, it depended on what principles the right hon. Gentleman the Chancellor of the Exchequer asked the Committee to consider them. The principle of a house tax was a good principle; but this time it was only proposed to enable the Chancellor of the Exchequer to confer a sham benefit in lieu of protection on certain agricultural constituencies; but, as regarded the malt tax, there was no agitation for its repeal, nor had there been any petitions for its repeal presented to that House. He had never before heard of such an unwise piece of legislation as voluntarily to throw away 2,500,000*l.* of revenue which no one complained of, and which was so easily collected. All he would say was this, that nothing could be more injudicious than that it should go forth to the world that they gave up this revenue for the express purpose of benefiting the farmers and landed proprietors, when, neither directly nor indirectly, would the agriculturists, as a body, benefit by it at all. The principle of the house tax might be just, and he thought fairer, after all, than an income tax; but that was not the point. It was very different when they (the Government) came to ask a repeal of the malt tax on true free-trade principles in the interest of the consumer, because they had a surplus to enable them to do so, and then ask for an increased house tax and income tax. The farmers of Scotland had not looked for much from the right hon. Gentleman the Chancellor of the Exchequer. He had never deluded them. They knew that protection meetings and speeches three days a week had been very inimical to high farming, and to the payment of rents: self-reliance had been their motto, and they looked for nothing in the way of compensation; but they did not expect that in the very first Budget of the right hon. Gentleman they would find their burdens greatly increased. In Scotland, down to the present time, there was hardly a farmer who ever paid house tax; but now, if this Budget passed, almost every farmer would have to pay it. When the late Sir Robert Peel introduced the income tax in 1841, it was his intention to assess the profits of farms in England and Scotland at half the rent; but some one—he believed it was the Earl of Aberdeen—clearly showed that would be unfair, because the rents in Scotland were collected on a very different principle to what prevailed in England. As the law now stood, no farmer paid income tax on any farm of less than 450*l.* rent; but if this Budget passed, all farms of 300*l.* rent would have to pay the tax; and the practical result would be that the farmers of Scotland would be much worse off than they are now. On these grounds he (Viscount Drumlanrig) should decidedly oppose the Budget.

COLONEL BLAIR said, he should not have risen but for the speech of the noble Lord the Member for Dumfries (Viscount Drumlanrig); but he begged to state that, as far as respected the county he had the honour to represent (Ayrshire), the right hon. Chancellor of the Exchequer's Budget, as a whole, had been favourably received by his constituents. With regard to the house tax, he thought that those who would have to pay it would receive more than an equivalent from the remissions contained in the other parts of the Budget. Scotland, he believed, would particularly benefit from the reduction of the tea duty. They did not, to be sure, drink much beer, but that was no reason why we should not have our beer cheaper. The effect of the readjustment of the income and property tax proposed by the Chancellor of the Exchequer would be, that while the Scotch farmer at present paid 2½*d.* in the pound on his profits, he would in future only pay 1¼*d.* Those engaged in trades and professions in that country would also unquestionably benefit by the modification of the income tax proposed in the Budget; an assertion in which he felt sure that he must be correct when the hon. Member for the West Riding (Mr. Cobden) said that he was astonished the late Government had omitted to bring forward such a proposition in their Budgets. The hon. Member for the West Riding, instead of being proud of the victory he had gained for free trade, seemed only to wish to taunt hon. Members on that (the Government) said of the House, and said they were "looking down." He (Colonel Blair) begged to say, he thought that hon. Member did not understand what were the feelings of hon. Gentleman on that side of the House, if he thought they were "looking down." That hon. Member, who had now had the opportunity of agitating against a grievance, threatened us with a renewal of that war of classes which every honest man in that House rejoiced was now terminated, because hon. Members on that side of the House did not "look down," as he said they ought to do, after the defeat they had sustained. He would tell him, however, that they treated his threats with scorn—if that was a parliamentary term. And with respect to the word "compensation" which he had ferretted out in these Resolutions, and upon which he threatened to agitate, he would tell him that there was in the Budget no more compensation than the farmers had a right to expect in the adjustment of a new system of taxation, and indeed he was afraid that many of them would not be satisfied with it. He had, however, that opinion of the farmers of this country that he believed they would not follow the example of the hon. Member for the West Riding; if there was agitation, it would not be commenced by them.

Mr. G. H. MOORE said, that the hon. and learned Solicitor General for Ireland, in the elaborate argument which he had addressed to the Committee, had, although he quoted various Acts of Parliament, failed to convey to his mind the slightest idea as to whether he approved of the extension of the income tax to Ireland, or whether he conceived that the present Budget contained that liberal and generous policy towards that country which was promised in the Speech from the Throne. He had heard, with more curiosity than edification, the elaborate mystifications which had been introduced into this debate, and which tended both to embarrass and discredit their proceedings. He wished now, however, to call their attention to another "misapprehension." "Misapprehension" was, indeed, the palladium of Her Majesty's Government; their whole existence depended on it; in time it extended over two Parliaments, and in area over the whole Empire. If everybody had not always and everywhere misapprehended everything they said, where—and above all, what—would the present Ministers and their supporters have been? If the people of England had not misunderstood the issue on which they went before God and their country, what would have become of many of those hon. Gentlemen whom personally he was very glad to see on the benches opposite? If the Irish landlords had not misapprehended the promises that were made to them before the elections, and the policy which was to be contained in the Budget, where would have been the exclusive support which the Government had received from that united and disinterested body? But he would ask those hon. Gentlemen—above all, he would ask an eloquent countryman of his—where now was that "liberal and generous" co-operation which, but a very short time ago, in the innocence of his heart, the exuberance of his fancy, and, as he (Mr. Moore) believed, in the sincerity of his convictions, who had taunted hon. Members on his (Mr. Moore's) side of the House, with delaying them; he would ask the hon. and learned Gentleman the Solicitor General for Ireland, was that "liberal and generous" spirit to be found in the present extension of the income tax to Ireland, which necessarily involved its future extension to the landed property of that country? Was it in the contemptuous refusal of the Government to accede to the recommendation of the House of Lords on the Consolidated Annuities?—a Committee fraudulently set up for electioneering purposes, and audaciously disregarded as soon as those purposes had been served. With regard to the extension of the income tax to Ireland, he would recall to the Committee a little incident which occurred at a previous period. On the eve of an important division, on which the existence of the late Government was supposed to depend, and upon the issue of which they actually tendered their resignation, a rumour was circulated in the lobbies that the Earl of Derby had expressed an opinion that it would be necessary to extend the income tax to Ireland; and that report was found to operate so prejudicially on Irish Members on both sides of the House, that it was found necessary for a right hon. Gentleman of considerable importance in the then Opposition to rise and deny the rumour indignantly. That avowal was received in the sense in which such avowals were usually received amongst English gentlemen. In another sense—in that of the "juggling fiend that lies like truth"—it was no doubt capable of a facile explanation; but it was received in the natural sense that the words conveyed—that it was not the Earl of Derby's intention to extend the income tax to Ireland—and the Irish Representatives then voted in full reliance on that avowal. He maintained that with respect to the Consolidated Annuities a great fraud and political deception had been practised upon the people of Ireland, either by the Government or by the candidates at the late elections; and it was his opinion that that imputation did not rest upon the latter. He called upon them as honourable men, and as men accustomed to speak the truth in the old sense in which the truth used to be understood and spoken, to say whether they did not tell their constituents, the landlords of Ireland, that they had good reason to know that the recommendation of the Lords' Committee on this subject would be acceded to by the Government, and to convince those constituents, not only by word, but deed, that the deception which had been practised did not rest with them. He denied that in the course he was about to take on this question he was actuated by party motives. He believed the people of England looked deeper into this question of taxation than a mere readjustment of burdens; and that they regarded such schemes as the present in the same light as that of the Irishman who proposed to lengthen his blanket by cutting a piece off the bottom and sewing it on at the top. They looked to the expenditure, both home as well as colonial, which they desired to see reformed, nor would they be satisfied with these financial fencing matches between rival Chancellors of the Exchequer, as to who should have the honour aad profit of overtaxing the public. And if he believed that the expulsion of the present Government from power would lead to the establishment of a Government of progress in their place, nobody would enter into this contest with more hearty party spirit than he. But if they were to be succeeded by a Government like the last, or one constituted on equally do-nothing principles, he believed that such a contingency would be infinitely more fatal to the cause of progress and liberal government in this country than even the continuance in office of the present Administration. In the vote he was about to give, he should be actuated by no motive except a sincere and earnest sense of the duty he owed to his countrymen, who—and especially Gentlemen professing Conservative opinions—were filled with an unanimous sense of indignation at the manner in which Ireland was deserted, assailed, and betrayed in the present Budget. He told hon. Gentlemen opposite that the landlords of Ireland mainly concurred with him in the opinions he had uttered, and that if they allowed themselves on this occasion to be the dupes of exhausted frauds and exploded fictions, they would neither represent the feelings of the masses nor the landowners of Ireland. If by their votes they contributed to impose the income tax on Ireland, or surrendered the interests of that country at discretion, as they seemed prepared to do, he hoped they would never again canvass an Irish constituency under false pretences, or Irish Gentlemen with false promises; and, above all, that they would never accuse any other men of deserting the interests of their country for the purposes of faction.

Mr. PEACOCKE said, that he must disclaim the idea that he was committed by the vote he should give on the present occasion to the details of the Budget, which he reserved to himself the fullest right of canvassing when they were submitted to the House. He agreed with the hon. Member in regretting that the income tax should have been partially extended to Ireland by the Budget; if it was to be so extended it should have been imposed on the land of Ireland as well as on funds and salaries. He was sorry that the Chancellor of the Exchequer should in this case have departed from his own apothegm, that a system of direct taxation could not be based on exemptions, and he thought that, considering the small amount he would gain by the proposed extension — only 60,000*l.*—and the great amount of vituperation, obstruction, and hostility that it would excite, he would find the gain to the Exchequer remarkably dear at the price. The hon. Member for Middlesex (Mr. B. Osborne), to whom the House was much indebted for the labour and time which he bestowed on his Parliamentary *impromptus*, and who drew upon his memory for his jokes, and upon his imagination for his facts, said the other night that the Budget was framed in a spirit of compensation to the land—although the landed interest had to bear its share in the additional burdens to be imposed; and he added that it was framed in a spirit of revenge against the 10*l.* householders, although half the Members on the Ministerial side of the House were indebted for their seats to that portion of the constituency. With respect to the Government proposals on the malt tax, he should oppose them if ever they came before the House. An illustrious predecessor of the Chancellor of the Exchequer used often to say that he had three courses open to him; but the right hon. Gentleman was more fortunate, for he had three courses besides the one he adopted—he might have treated the malt tax as he did the tea duties; he might have totally repealed it, or he might have left it as it was at present; and he (Mr. Peacocke) thought that any of these would have been preferable to the course which he had actually adopted. By that course the cost of the collection, as compared with the receipts, would be doubled; and the inquisitorial character of the tax, and its interference with the use of malt for agricultural purposes, would still remain undiminished. With regard to the relief to the consumer, he thought that every one who had watched the price of beer would observe that it formed an exception to all the rules of political economy, in not—like all other manufactured articles—varying with the cost of the raw material. Either, then, it was a popular delusion that the component parts of beer were malt and hops, or the present licensing system gave the brewers a virtual monopoly against the consumers; and he could not consent to sacrifice two and a half millions of revenue without a searching investigation into the present system of licensing. The highest estimate that had been given of the benefit that would be derived by the consumer from the repeal of half this tax was a farthing a quart on the wholesale price; and he would ask the House what possible benefit could be derived by the great mass of the consumers, who purchased their beer in pints and half pints, the proportionate diminution in the price of which could not be expressed in any existing coin? Then as to the farmer: it might benefit the barley-growing districts of Suffolk, Buckinghamshire, and perhaps the hop-growers of Kent; but it could not be any advantage to the clay lands of Northamptonshire, the cider districts of Worcestershire, or the grazing districts of Somersetshire. As a measure of agricultural relief, it must be partial in its operation, and local in its nature. And indeed, in order to show that it would not benefit the farmer, he might refer to the authority of the Member for Cambridgeshire (Mr. Ball), who told the House that the benefit he would derive from this measure would be more than counterbalanced by the admission of foreign malt. The right hon. Baronet the Member for Carlisle (Sir James Graham) said the other night, with great apparent regret, that he regretted the local burdens had been thrown over on the present occasion. It was delightful to be able to sympathise with the right hon. Gentleman, and he would fain mingle his regrets on this point with those of the right hon. Baronet, although perhaps in a different spirit. Though he (Mr. Peacocke) had always been a free-trader, yet he had always held, and did so still, that the land of the country was subject to an unequal amount of taxation from local burdens. He admitted the difficulty of legislating on the subject, and he objected to the transfer of the poor-rates to the Consolidated Fund, which was nothing more than communism, or to dispensing with local assessment and with local self-control; but still the fact was flagrant, when two men residing in the same parish, and having an income of 5,000*l.* each, the one who derived it from the funds or from a mortgage was not even assessed to the poor-rate, while the other, who derived it from land, paid 300*l.*, he did not see how it could be maintained that poor-rate was a national burden, and not one falling on a particular class. When they started the farmer in the race of unrestricted competition, they ought to have seen that he was equally taxed with his competitors: the whole subject should have undergone a full investigation, for so long as the land was exclusively saddled with the poor-rate, the cry of protection would never be stifled, nor would that for justice to the British agriculturist be terminated. He could most cordially support the propositions of the Government with respect to the house tax, not only with respect to the principle of the tax, but also as to the propriety of extending it to 10*l.* houses, and of limiting it at that amount. He thought it was desirable to extend the area of the tax to those houses, because representation and taxation should, as nearly as possible, be co-extensive; and he thought it should not go lower, because the houses of less rent were chiefly inhabited by the labouring classes. It should be one of the first principles of taxation that the necessaries of life should be exempted from taxation; and what was a greater necessary than a house? The Member for the West Riding said that this tax was one which would fall exclusively on the towns; but the fact was that it applied to houses wherever it found them, whether in town or country. This tax was, moreover, as he believed, a sound one in principle; it did not raise the price of any article of food, and it had these advantages over the income tax, that it was a tax on expenditure, and one, therefore, tending to induce economy instead of diminishing consumption. No tax could be pointed out more fair, or less oppressive and inquisitorial. It was said the other evening by the right hon. Gentlemen the Members for the Universities of Oxford and Cambridge, that the Chancellor of the Exchequer had done wrong in attempting to repeal the malt tax, having to propose other taxes of a direct nature to supply the deficiency. But the right hon. Gentleman had forgotten that the late Sir Robert Peel had found a deficit of two millions and a half (thanks to Gentlemen opposite), and yet, notwithstanding, had set about large remissions of duties; while, on the other hand, he was compelled to resort to the income tax to make it up.

Mr. GOULBURN: I obtained the income tax before taking off the other duties. ["Hear, hear!"]

MR. PEACOCKE: That was the same thing. [*Laughter.*] The principle was the same. The course pursued by the late Sir Robert Peel in this respect was substantially the same as that now proposed. The present Chancellor of the Exchequer, like the right hon. Gentleman opposite, found imposts pressing on consumption, and he proposed, like him, to take them off, and to impose a tax to make up the deficiency. But they were told that the extension of the house tax would tend to disfranchise the 10*l.* householders, because they were so indifferent to the suffrage that they would never consent to pay a few shillings a year extra to preserve it. This was not the language the House had been accustomed to hear from hon. Gentlemen opposite. They used to allege that all the intelligence and patriotism of the country was concentrated in that class; and that all who did not possess the franchise were serfs beyond the pale of the constitution; while, according to the hon. Member for the West Riding, such wa their eagerness to possess the suffrage that they were investing all their savings on the very questionable security offered by freehold land societies. Now, however, they said they did not think the suffrage worth even a few shillings. It was not for him to reconcile these conflicting statements of hon. Gentlemen opposite. The hon. Member for Bath (Mr. Phinn) had, however, threatened them with an agitation on this subject from the 10*l.* householders. Now, Bath was a very dull place, and no doubt its inhabitants might be glad of a little excitement; but he hoped that, however terrible the agitation of the Bath householders might be, hon. Gentlemen would not be deterred by it from upholding the present measure, and supporting the principles they had themselves laid down. He (Mr. Peacocke) should support it, because it was founded on the principles of economical science, and because it was a continuation and extension of that policy which the House had already recognised when they declared, in the language of the Resolution of the noble Lord the Member for Tiverton (Viscount Palmerston), that to it we are indebted for the improved condition of the labouring classes, consequent upon the diminished price and increased abundance of the principal articles of consumption.

SIR FRANCIS BARING begged, before entering on the general question to say something with respect to the part of the Budget which peculiarly related to the department which he formerly had had the honour of filling, and with regard to which, in fairness to those who had acted with him, it was right that some explanation should be given. He would refer more particularly to that part of it that had relation to the shipping interest; and he begged to remind the Committee that within a very short period the shipping interest had been relieved by the late President of the Board of Trade for charges to the amount of 120,000*l.* by the operation of the arrangements of the Trinity House, which were carried out under his superintendence. On that subject, therefore, it would appear that no great neglect was attributable to the late Government. It was proposed by the right hon. Gentleman the Chancellor of the Exchequer to relieve the shipping interest by altering the arrangements which allowed the merchant sailor to enter into the service; but he did not believe that the effect of the right hon. Gentleman's proposal would be of great importance. He believed that, in point of fact, it would leave things very much as they were before; but he begged leave to say that the subject had not been neglected by the late Administration. The strictest orders had been sent out by them to prevent any abuses on that score, and every officer was called upon to report distinctly every case in which a sailor was admitted under that peculiar clause; and if the order had been looked after with attention, he did not believe that abuses could exist. Lastly, with regard to salvage, the right hon. Gentleman had omitted to state what had been done by previous Governments; and on that point he (Sir F. Baring) had to thank the hon. Member for Montrose (Mr. Hume) for doing justice to the late Government. The subject had been looked into by the late Board of Admiralty, and an arrangement made by which the demands of the Navy were limited to cases where great and important service had been done, and where risk of life had been incurred; and no claim would be recognised except in those cases which had been submitted to the admiral on the station, and which had received his sanction. He admitted that claims had been made which ought not to have been set up; but in many cases that arose from the claims having been placed in the hands of agents, who were naturally anxious to do the best for their clients. Undoubtedly there had been abuses in the system; but those abuses, by the circular from the late Board of Admiralty which was laid upon the table, had been in a great degree corrected. He quite admitted that the right hon. Gentleman the Chancellor of the Exchequer went further than the late Government, and had abandoned the claim for salvage; but that was not the demand of the shipping interest. He had a memorial in his hand, with which he should not trouble the Committee, in which the shipping interest did not desire that the claim should be abandoned, but put upon a proper footing. Let the Committee recollect that the claim was a legal claim, not established by an order of the Admiralty, but by the law of the land; and when property was saved, the salvor had as much right to his salvage as the party had to his property. He must say that where the merchant received very large benefits at the risk of the life of the sailor, it would be a hard case entirely to deprive the sailor of all claim for salvage. Let them regulate it as much as they pleased, and see that the service was fairly done; but it would not be worthy of the merchants of England to deprive the sailor of his salvage. The claim now existed by law, though the right hon. Gentleman seemed to think it was to be got rid of by an order from the Admiralty. He (Sir F. Baring) hoped that would not be attempted, and that they would not place the head of the Naval Department in such a position. The law of the land gave the sailor the claim, and the sailor knew it, and if he were deprived of it by Admiralty order would say that though the law gave it to him, the Admiralty would not allow him to receive it. If they wished to get rid of the claim entirely, let them get rid of it by law, but let them not throw the responsibility on the Admiralty, or cause them to issue directions distinctly contrary to law. He should now turn to the Budget, but would not repeat what had been urged by Gentlemen at that side of the House. He would not go over the figures of the right hon. Chancellor of the Exchequer, but would leave them in the hands of his right hon. Friend (Sir C. Wood), and of the right hon. Gentleman the Member for the University of Cambridge (Mr. Goulburn). He agreed with them in their opinion as to the arrangement with regard to tea; he agreed with them that in touching the hop duty the right hon. Gentleman had not shown much wisdom in touching it and leaving one half; he agreed with them that if he touched only one half of the malt duty, it was likely to produce but little benefit; he agreed with them also that the right hon. Gentleman's surplus was one of a very doubtful nature; for example, the saving he calculated upon with respect to the Kafir war, the termination of which was rather "looming in the distance," was not one for a financial Minister to rely upon; he agreed with them that his arrangement with regard to the Irish funds was a breach of the public faith; and he entirely concurred with them in thinking that the right hon. Gentleman's Budget had left the finances of the country in a state that was neither secure nor satisfactory. He was especially anxious to call the attention of the Committee more particularly to the proposition now under consideration, namely, the house tax. It was very easy for an hon. Gentleman to say, "I am for an income tax—I am for a house tax;" but what they had to consider was, the house tax and the income tax proposed to them. The right hon. Gentleman the Solicitor General for Ireland had stated that it was a constitutional principle that a 10*l.* householder having a vote should pay direct taxation. He was rather astonished that such a constitutional principle should come from such a high authority. If it were correct that direct taxation and the right of voting should be coextensive, then why should not the 10*l.* householders in counties have the franchise? Let that constitutional principle be established, and there would be also something "looming in the future" for Ireland; and Irish Members, by supporting the theory of the right hon. Gentleman, would be preparing the way for the introduction of a house tax into Ireland. Was that the reason which the right hon. Gentleman the Chancellor of the Exchequer stated in his opening speech for extending that tax? On the contrary, the right hon. Gentleman intimated that he had no particular fancy for 10*l.* He (Sir F. Baring) was of opinion that it was not wise to strain direct taxation too far, and he warned hon. Gentlemen that if they attempted to include too large a body, either in the income tax or any other tax, they would cause so much dissatisfaction that they would risk the public credit for a time. With respect to the house tax now under consideration, he confessed he was not one of the new-fashioned admirers of it. A great many philosophers argued that the duty on bricks and glass ought to be repealed, and that the taxes should be taken off timber, tiles, and slates; but when the bricks were built into a wall—when the timber was cut into rafters—when the roof was covered with tiles, and when the light was admitted by windows, then they said that, although they would not on any one of those articles demand duty, they would on the aggregate levy upon them the house tax. These philosophers also said, "Don't tax the necessaries of life—above all, the necessaries of life should be free from taxation." It was said that sugar, tea, and beer, were necessaries of life, and he read somewhere that a newspaper was a necessary of life; but was not a house a necessary of life also? He should like to see one of the purest of those political economists without a house, and then ask him whether he thought that a house was a mere luxury or a necessary of life? It was said that a tax on houses did not interfere with trade; but, if the agricultural interest were to have a tax placed on their farmhouses, would they say it was no interference with agriculture? Was not a house tax placed on an inn held by lease an interference, and a very severe one too, with trade? It was said by the right hon. Gentleman the Home Secretary that the house tax was an income tax, and varied according to a man's income, but was better than an income tax, because it was more easily collected. Now he (Sir F. Baring) utterly denied that such was the fact. To take the figures of the Secretary of State for the Home Department, when a man with 50*l.* a year paid 10*l.* for rent, did the right hon. Gentleman mean to say that a man with 5,000*l.* a year paid 1,000*l.* a year for rent; or that a man with 10,000*l.* a year income paid 2,000*l.* a year rent? Was there the slightest degree of proportion between what was paid for house rent by the lower classes, and what was paid for house rent by the higher classes. The case of the house at Knowle, near Sevenoaks, which was mentioned on a previous occasion, was well known. It was a large house, almost a palace, and did the Committee know the rent at which it had been valued? The rent was only 50*l.* a year, and bore no proportion to the means of the occupier. He might be told that that was a single and accidental case; but he believed, on the contrary, in respect to very large and enormous houses, not only that no rent of importance could be got in many cases, but that, generally speaking, the proprietors were obliged to persons for occupying them, and keeping them in repair. In 1833 and 1834 there were an immense number of returns, showing the unfair working of the house tax. For example, there were resident in Hampshire two Dukes, one Marquess, three Earls, six Lords, and several Commoners. Of their houses, one was rated at 240*l.* a year, and only two rated at 200*l.* a year; and he asked if that amount were by any means in proportion with their incomes? He would next call attention to the state of circumstances in this respect in Portsmouth and Winchester. He would take three inns, the highest of which was rated at 350*l.* a year, whilst the highest of the country gentlemen's houses was rated at 240*l.* The next highest of the inns was rated at 300*l.*, the second highest of country gentlemen's houses being 200*l.* It was now proposed to double the house tax, and it was said that men would pay it according to their income; but this he denied; and, taking the case of a person having two houses, one in the town, and one in the country, it was plain his income was the same in whichever he lived; but when he shifted his residence from Belgrave-square to the country, he found that he was paying a very different amount of rent. He wished hon. Members would call for returns and see what was really the fact. He admitted there were great objections to the window tax, of a sanitary nature; and facts which had recently come to his knowledge led him to believe that the greatest benefit had resulted from the change. But the relief was mainly given to the great houses of gentlemen in the country. His right hon. Friend (Sir C. Wood), when arguing the question the other night, had exposed himself to a lecture from the right hon. Gentleman the Home Secretary for the mode in which he had commented upon the proposition of the right hon. Chancellor of the Exchequer; but it should be recollected that the right hon. Gentleman, on whom his Colleague passed such a high panegyric, was not free from the charge of using similar language himself, when from the Opposition benches he attacked the Ministry, or when, as a Minister, he assailed his opponents. He now came to a question on which he was very anxious to say a few words. He had formerly expressed opinions with regard to the income tax which were different from those that were generally prevalent. He said that if they continued the income tax, he thought they must reconsider it with the view of making it fairer. He then said that he did not think it would be a breach of the public faith if they taxed the fundholder in the same manner, and at the same rate, as they taxed other incomes of a similar nature. Holding those opinions he had felt it his duty to consider the proposition of the Chancellor of the Exchequer, and to see whether the plan of taxing industrial incomes less than other incomes was carried out in a fair way. He admitted the extreme difficulties of imposing a fair income tax; but if you could not effect precise accuracy in the arrangement, you should at least aim at an approximation to accuracy; but this approximation was by no means manifest in the schemes before the Committee. There seemed, in fact, no principle whatever recognisable in that scheme. It purported to draw a distinction between realised property and precarious property; yet classes of property which came rightly within the one class were placed arbitrarily within the other. There was no principle in the distinctions of Schedules A, B, C, D. They were of use in collecting the income tax; but when you received the income tax it must be revised, not according to the Schedules A, B, C, but some principle. The right hon. Gentleman's Resolutions were all about the alphabet—he had not yet got beyond the alphabet; but let him abandon his schedules and look to principles. There were incomes from land that descended, and from the funds; there were the incomes of professional men that ceased with life, and might even cease during life from the chances of ill-health and the want of professional success; there was another class with mixed incomes—bankers, merchants, and other traders—where the income did not cease entirely with the death of the party, for when a party died, the son frequently succeeded to the business, or, if the whole were wound up, there was a property remaining. It was impossible to arrive at perfect accuracy in fixing the amount of income tax to be paid by each person; and the utmost they could do was to make some approximation to justice. But was it an approximation to justice to tax the lawyer, the medical man, the brewer, the banker, and merchant at the same rate? There was as much difference between the personal income and the mixed income as there was between an income derived from landed property and from other sources. But, take the Chancellor of the Exchequer's principle, was it carried out by the proposals he had embodied in his Resolutions? If a man held property in land in England, he paid *7d.*; if he had realised property in Ireland, and did not reside there, he paid *5¼d.*; if he resided in Ireland, he paid nothing at all. If he had property in the English funds, he paid *7d.* in the pound; if he had property in the foreign funds, he paid *5¼d.* If he had an income derived from railways in England, he paid *7d.*; if he had an income derived from foreign railways, he paid *5¼d.* If he received *50l.* out of the funds in England, he paid *7d.*; and if he received it from the foreign funds he paid *5¼d.* They were so set down in the Schedule A, B, or C, and that was the only explanation given with regard to them by the right hon. Gentleman the Chancellor of the Exchequer. Dividends in the public funds above *50l.* paid *7d.*; and he must say it was worth consideration whether such property in England should be subjected to a tax of *7d.*, when money in the foreign funds was only charged *5¼d.* For the right hon. Chancellor of the Exchequer to make such an arrangement, whose business it was to look after the funds of the country, was committing suicide. On looking to Schedule D, in what the right hon. Gentleman called precarious incomes, though it was difficult to arrive at an understanding of his application of the term —the person who had an annuity charged on land, down to *50l.* a year was to pay *7d.* in the pound; whereas the person who had an annuity charged on land in Ireland, under *100l.*, paid nothing at all, the property being equally real property in both cases. In point of fact, out of the exemptions allowed by the right hon. Gentleman in respect of precarious incomes, no fewer than ten were upon incomes derived from realised property in the clearest sense of the term. He thought he had proved to the Committee that if they really intended to carry out the true principle in this case, the Resolution could not pass, and must be withdrawn. He thought they had a right to know how the right hon. Gentleman was to carry out his principle. It was no satisfaction to be told, "Vote the Resolution, and by-and-by I will bring in a Bill that is totally different from the Resolution." He always considered, when a Chancellor of the Exchequer proposed to repeal any tax, that it was his duty to state how he would raise a sufficient amount to meet the deficiency that might be created; that is to say, that he should be prepared to balance accounts. But the supporters of Government were now told they might reduce the tax in Committee, and were now only called upon for a vote on the principle of the Budget. But if hon. Gentlemen voted against the amount of the tax, what became of the Budget? If they voted for the whole Budget as it stood, he (Sir F. Baring) could understand that they would have something to say to their constituents. They would be able to say, that true enough they voted for the increase of the house tax, but then they (their constituents) had got cheap beer. But if they voted for a small house tax, what became of the beer? It would be impossible to reduce the duty on malt. What would be the answer of hon. Gentlemen in such a case? They would say that they voted for the principle; but he (Sir F. Baring) did not think that would satisfy their constituents, who would very likely say that principle was rather at a discount in the present day.

The CHANCELLOR OF THE EXCHEQUER: Sir, after four nights of criticism, conducted by some of the most considerable reputations in this House, on the financial propositions that I have laid on the table of the Committee, I now rise to vindicate those propositions. If in the observations, which I will endeavour to condense as much as I can, I omit noticing any of the objections which have been urged against those propositions, I hope the Committee will ascribe that negligence to inadvertence, and not to design. Having listened with the respect and attention naturally due to such words from such lips, I can conscientiously say that I have heard nothing that, in my opinion, has successfully impugned the policy which, as the organ of the Government, I have recommended; and I am prepared to meet the objections which have been urged, and to show to the Committee that they are unfounded and illusory.

When, with the great indulgence of the House on Friday week, I attempted to make a general exposition of the financial policy of the Government—when, exhausting, I am conscious, the patience of the House, as well as myself, I endeavoured, in the fulfilment of my duty, to give—I will not call them estimates—but to give such information as was necessary as to the effect of the alterations that we proposed on the revenue of the next year and the year immediately following—I did not then attempt to substantiate that statement by details. I felt that at that moment the House was too exhausted to listen to those details; I felt that the general statement would undergo the scrutiny of persons competent to invalidate its accuracy, if inaccuracy could be proved to exist; and I felt that I should have the opportunity, with the permission of the House, of answering such criticisms in due time. I will now, therefore, in the first place, address myself to the statement which I made generally as to the effect of these alterations on the revenue of the two years under discussion; and I will apply myself, in the first instance, to the two important arraignments of the policy which we recommend, made principally by the right hon. Gentleman the Member for Halifax (Sir Charles Wood).

And, first, I will address myself to that sum of 400,000*l.* which, under the name of repayments, I recommend to the Committee to adopt and to sanction as part of the Ways and Means of the impending year. That proposed course was at once denounced by the Member for the University of Oxford, and afterwards assailed in language and in a tone somewhat unusual—certainly not very Parliamentary—by the right hon. Member for Halifax; for, instead of addressing his observations to you, Sir, he addressed, throughout his speech, his observations to myself. On a subsequent occasion, another right hon. Gentleman—a great authority in this House (Sir James Graham)—entered amply, and with the advantage which days of meditation on the subject gave him, into the same topic, enlarging upon it with a minuteness which was not observed in the attack of the Member for the University of Oxford, and which was scorned by the Member for Halifax. These three great authorities have combined to influence the opinion of the Committee on the subject. I am not sure whether a third ex-Chancellor of the Exchequer has touched on it, for, unfortunately, I was absent from the House during part of the time he was addressing the Committee—probably, however, he did not spare me any more than his right hon. Friends have done. It is for me now to show—if the Committee will, as I have no doubt, after these attacks, it will, give me its kind and patient attention—that the propositions I made bear a very different character and complexion from those which these authorities have so strenuously sought to induce the Committee to believe. There are two points in this subject before the Committee: first, was I justified in recommending that the establishment in question should be abolished? secondly, if I was justified in that recommendation, was I justified in also recommending that the repayments should take their place in the Ways and Means? These are the two issues in this matter before the Committee; I trust I have stated them fairly. I must advert briefly to the origin of this department of the Public Works Loan Commission, which on the former occasion I alluded to cursorily. I observed, then, that this department had its origin in circumstances exactly the reverse of those under which it now exists, and that it was occasioned by causes which now no longer operate. At the peace, there being surplus population and deficient capital, the labour market throughout the country being suddenly disturbed, and unexpected hands let loose on society, the amount of unemployed labour being increased and aggravated by a body of 200,000 seamen and soldiers all at once disbanded, the Government of that day felt it necessary to take some artificial means of employing that surplus labour in a state of society where capital was deficient. It is not necessary for us to enter into any discussion as to the policy or impolicy of such a proceeding. Probably mere political economists might not approve of it — probably statesmen under circumstances so urgent, though they might not have abstractedly approved of it, might have been forced to have recourse to such a measure. However this may be, a department was established which, by the credit of Exchequer bills issued by the State, raised money and employed that money in what is called "public works." That system went on for, I think, nearly fifteen years. Nearly 3,000,000*l.* of Exchequer bills had been issued, and those which had been so issued for that purpose were not of so favourite a character in the market as the usual Supply Exchequer bills; and it was found necessary or convenient to terminate the issue. In the year 1842, the point from which we depart, the account was taken of that fund. It appeared at that time that in round numbers the sum of 3,000,000*l.* had been raised by Exchequer bills thus issued; that of that sum 2,000,000*l.* had been paid off, and that 1,046,000*l.* remained at that time unsettled, if I may use the expression; and to close the transaction they were funded. From that period, by Act of Parliament, it was arranged instead of loans raised on Exchequer bills, the same Commissioners, for the same purpose, should receive a sum of money to the amount of 360,000*l.* a year from the Consolidated Fund. The sum which we have actually to deal with is 300,000*l.* per annum, for by a subsequent arrangement 60,000*l.*, a portion of that sum, was transferred to the use of Ireland only for public works; and with that we do not propose to deal. Well, now, Sir, the Member for Carlisle has dilated in almost moving terms upon the benefit of the loan fund, especially to the country gentlemen. He has eulogised its good administration by the unpaid Commissioners, whose respectable and respected names he read to the Committee; nor should he have forgotten—though he omitted it I am sure only from inadvertence—to have recorded, also, the names of the respected officers connected with that fund, whose performance of their duties should not, I think, be overlooked at this moment, whatever our opinion may be upon other subjects. I am willing to admit that so far as those unpaid Commissioners and those sedulous officials are concerned, there are few blots in the administration of that fund during a long period by them. On the contrary, I think I may say that they have conducted themselves with unimpeachable assiduity and care. Sir, the right hon. Gentleman, passing on, has dilated upon the importance of this fund, especially to the country gentlemen. With this fund, according to him, bridges have been erected, union workhouses built, lunatic asylums and public gaols have risen—

SIR J. GRAHAM: I said "workhouses enlarged," not "built."

The CHANCELLOR OF THE EXCHEQUER: Well, enlarged; the right hon. Gentleman may have the benefit of the correction. Certainly, he talked of this fund circulating to the constant advantage of the landed interest, and he asked, "If that assistance is withdrawn, what are they to do?" "Why has he touched it," said the right hon. Gentleman with indignation, "not a single shilling has been lost—why has he touched it?" Now, Sir, of funds of this nature there is one general observation to make, which, before we enter into the consideration of its particular management, should not be omitted. This fund proposed to lend money at a higher rate of interest than the rate prevailing in what is called "the money market." According to the Member for Halifax, that was in order that the money market should not be disturbed. The rules of the Loan Fund were these: that for all undertakings in which profit was concerned, 5 per cent was to be charged; and for all undertakings in which profit was not concerned, 4 per cent only was to be charged. The first and natural consequence of any department lending money at a higher rate of interest than the natural rate of the money market is, that first-rate securities will not apply to them; for first-rate securities will not pay 5 per cent or 4 per cent if they can get their money at 3½ per cent; and if your funds are employed, the chance is that your security is second-rate. Well, now, Sir, I have here ample information as to the manner in which those funds were employed as regards the country gentlemen; but I have no wish to enter into any details to show that in many instances those advances need not or ought not to have been made. At this moment the country gentlemen are not applying for any great amount of that fund, for the reason which my right hon. Friend the Secretary of State for the Home Department adverted to the other evening, namely, that they cannot afford to pay so high a rate of interest for the loan which is afforded them. But, Sir, the objection to this department has nothing to do with the circumstances on the surface, to which the Member for Carlisle has adverted, and to which he confined himself. The question is one of a much deeper character; and now, perhaps, the Committee will permit me to inform them under what circumstances and by what reason my attention was drawn to this Loan Fund. Sir, I found in revising the public accounts of the country a department, and a department, of no great mark, with a very large balance of the public money unemployed, amounting, when it first attracted my attention, and I believe at this moment, to upwards of 380,000*l.*, lying perfectly idle. It is no doubt a rule, which I should think no Gentlemen opposite will impugn, that large balances of the public money lying idle is a circumstance which ought not to be encouraged, and which ought to be inquired into. But I found that with that large amount of balance there was a law in existence that peremptorily every quarter of a year increased it by the sum of 90,000*l.*, less the amount paid to Ireland; and it became, therefore, my duty to inquire why so large a balance remained unproductive —what was the object of that balance—what had been effected by that fund, and what might be the consequences of its remaining in its present state? The right hon. Baronet said, in a manner which he did not in any way qualify—which, in fact, was almost the basis of his appeal, if not of his argument—that not a single shilling had been lost; that under the innocent management of those respected names which he appealed to, and those worthy officials whose services I have presumed to notice, the simple country gentlemen have been benefited; that that revolving fund had raised our gaols and enlarged our unions, and, after thirty or forty years' experience, not a single shilling, mind you, has been lost—"Why does he touch it?" Now, I must inform the Committee that the right hon. Gentleman, in the minute statement which he gave with respect to this department, omitted all the most important facts. I doubt not, Sir, that if a fund had been intrusted only to respectable unpaid Commissioners of such habits of life as were referred to by the right hon. Gentleman, devoted only to the worthy and laudable purposes which the right hon. Gentleman described as the sole object of its investment, I doubt not that though there might have been an occasional job unconsciously perpetrated, and an occasional bad security inadvertently taken, yet that no very serious consequences would have accrued. But, Sir, with so convenient a fund at their disposal, there was another party to interfere beside the respectable Commissioners, and the fund has been employed for purposes very different from those of my hon. Friends near me—the country Gentlemen of England. With these large balances and funds another influence has interfered, very briefly alluded to by one of those right hon. Gentlemen who have spoken upon the subject. "We all know how convenient it may be to the Minister," said the right hon. Gentleman (Sir C. Wood), "to have at a particular moment such a fund at his command;" and I will show the Committee how convenient it has been to the Minister to have such a fund at his command; and I will show to the Committee what flagrant misappropriation there has been of the public funds of this country, and how vast an amount has been squandered away, virtually without the cognisance and control of Parliament, and entirely by the machinery of this Public Works Loan Fund. Now, Sir, "it is excessively convenient," says the right hon. Gentleman: there are moments when even I, with my brief experience of office, which seems so much envied—when he says even I may have experienced the convenience of such a fund. Well, I don't know what I may come to; but certainly, during the short period that I have had the honour of presiding over the Exchequer, I had not the slightest idea that I was to avail myself of such an opportunity. This, now, is the way in which my predecessors have availed themselves of such opportunities. I shall then put the question simply to the Committee, whether they think that such a department ought to be maintained for the reasons urged by the right hon. Member for Carlisle, or whether I have taken a judicious course in attempting to terminate its existence. That is what I shall leave to the decision of the Committee. Now, Sir, let me explain how the Minister of the day—I make no charge on any Minister of any period—my observations are general—how the Minister of the day has availed himself of the public funds, virtually, as I shall show you, without the cognisance of Parliament, and how vast sums have been squandered without even the hon. Member for Montrose, I believe, being aware of it. Now, I take one among many illustrative instances. I take the case of the Thames Tunnel. There was a body of ingenious men who resolved to make a tunnel under the Thames. Well, it was a great triumph of scientific enterprise, and much to the honour of the English character that such an undertaking should have been entered into without, of course, the slightest chance of ever getting the smallest interest for their money. It is only in England that such things are undertaken, and such enterprises encouraged. However, there are moments when even the most enthusiastic in such enterprises begin to think that public assistance is required. Appeals are made to the Minister. Those appeals are strengthened and supported by powerful Parliamentary influence. A Bill is brought into Parliament on a subject which interests nobody, and it allows the undertakers of that public enterprise, the members of a public company, to raise money. Who of the 650 Members has an eye on a Bill of that kind? Probably not five men in the House, unless they are directors of the company, are aware of it. That Bill contains a clause permitting the Lords of the Treasury to advance from the Public Works Loan Fund a sum by way of loan to carry out the projects of that company. The Bill is passed. Being passed, the promoters go to the Treasury —I am now speaking of the Thames Tunnel Company—they go to the Treasury. By virtue of that clause, the Lords of the Treasury advance, by way of loan, through the machinery of the Public Works Loan Fund, no less a sum than 250,000*l.* to the Thames Tunnel Company, not a shilling of which has ever been repaid, or can ever be repaid, and on which, I believe, only ½ per cent interest received probably as an admission fee into the tunnel, has ever been paid. Now, what I say with regard to the system is this: It is perfectly open to the House of Commons to do that which all assemblies and individuals have a right to do—to commit a great folly. If a Minister comes forward and asks the House of Commons to vote 250,000*l.* to make a tunnel under the Thames, if we assent to his proposal, we have at least the glory of voting 250,000*l.* for the object; and though some may think that 250,000*l.* might be employed for a more useful or elevating purpose, at least an opportunity is given of appealing to the reason of the House, and dissenting from the measure. But under this system no one is in the least aware that 250,000*l.* is advanced. It is lent. Yes, but how lent? It is a grant in the shape of a loan. Now, this is one of the cases by which 250,000*l.* and its accumulated interest, have been lost to the country. I will give one more instance of the operation of this Loan Fund, and it is one of recent interest. I am ashamed to say that I have been a Member of Parliament during the time in which this instance occurred, and I dare say a vast majority of those now in the House were. Its date is from 1847 to 1850, and it makes me blush even at this moment. Now, this case is well deserving the attention of the Committee, because there is no reason why almost this very night, or the next night, the same operation may not be going on—there is not the least reason why under this machinery we may not every week be voting 100,000*l.* of the public money without a single Member being cognisant of it. The case which I will now call your attention to is that of Battersea Park. Now, Sir, I am far from saying that it may not be the duty of the Government to establish parks for the health and enjoyment of the community. I do not want to enter into that question now; though perhaps I may observe, in respect to the establishment of a park, that it may fairly be considered whether the inhabitants of the district should not at least contribute their quota, and in that case whether it may not be perfectly legitimate, in a great metropolis like this, that the central authority should aid in a purpose which contributes to the ornament of the capital and the health of the general population. It is perfectly legitimate for the Minister to come forward and propose a vote of 150,000*l.*, or more, if necessary, to make a park at Battersea, or anywhere else. The House, in such an event, has the question fairly before it, and may consider it in all its details, and if it sanction it, although the speculation may be improvident, and the object not worth the investment, yet no one can complain of the result. Let me inform the Committee what occurred in the case of Battersea Park. A Bill was brought into Parliament, as usual, empowering certain individuals to buy land at Battersea, and to make a park. A clause was put into the Bill—not compulsory, mind you, but permissive—to enable the Lords of the Treasury, if they thought fit, to advance from the Public Works Loan Fund such a sum as they might think proper for the advancement of the object in question. The projectors of Battersea Park, with that Bill which nobody had ever seen, and that clause—[SIR C. WOOD: It was a Public Bill]—yes, a Public Bill, of course, but it does not follow that five persons in the House knew of its existence—they go to the Treasury, and what occurs? They obtain an advance from the Treasury of 150,000*l.* I don't ask who was the Chancellor of the Exchequer that sanctioned that advance: notwithstanding the recent interruption, of all the speculations that man ever engaged in, no speculation was ever so absurd as that of Battersea Park. The persons who undertook the enterprise were ignorant of all the circumstances with which they had to deal. They purchased a great deal of land, and made arrangements by which twenty years must elapse, even if they are successful, before they receive any rents; and the margin reserved for the Government is so slight, that instead of repaying the principal, it will probably never defray the sum that is already due for accumulated interest; for, mind you, they are in theory paying 5 per cent to the Public Works Loan Fund all this time. The interest is debited every half-year, and the arrears now amount, I think, to 12,000*l.* Now, Sir, I will not go into any other instances. I have done my duty in bringing these before the Committee. I have here in my hand, from the year 1824 till 1840, a catalogue of parallel instances, and the whole amount is very little short of 700,000*l.*, every shilling of which has been lost to the country. "Not a single shilling has been lost," said the right hon. Gentleman. "Why has he touched it?" Well, I've given him now the "reason why," and I think the Committee will agree, whatever they may think of the further merits of the question, that in stopping a system so iniquitous, I was only doing my duty as a guardian of the public purse. Yet this is the system which, according to the right hon. Gentleman, is so beneficially administered by Lord Overstone, by which loans are advanced to country gentlemen for building lunatic asylums at 4 per cent, which the Secretary of State tells you the county of Worcester can build at 3 per cent. In fact, irrespective of the flagrant circumstances which I have brought before the Committee, time had virtually done that for the Public Works Loan Fund which an indignant Chancellor of the Exchequer ought to have done long ago. A loan fund at 5 and 4 per cent, founded upon the assumption that there was surplus labour and deficient capital in an age when there was a deficiency of labour and a plethora of capital, really had come to its natural end; and that is the cause of those large balances which must necessarily be swollen each quarter by the increment from the Exchequer. They have, in fact, with these rapidly accumulating funds been led almost to force their loans upon Irish railways; but here the unpaid Commissioners come into play, and take care that the security shall be of the best description. And therefore that has happened within a very recent period which will perhaps astonish the House; but, such is the effect of the present, and I believe the permanent state of the money market, that an Irish railway company that had asked for the assistance of a very large sum have just announced they will not accept the money granted by the Loan Fund, because they find, having a good security, they can obtain assistance in the ordinary way at a more reasonable rate.

Under these circumstances, I felt it my duty to bring before the attention of my Colleagues the state of this department; and I called to their notice that not only was there this waste of public money, but that there was no security that the waste would not indefinitely continue. That waste, too, has taken place during a period of years, when you have not been able to screw up your courage to vote 150,000*l.* for a National Gallery; and we came to a conclusion that it would be a good thing to relieve the Consolidated Fund of this annual charge, and stop the machinery by which such a ruinous waste of the public money took place. Then the question arose, what were we to do with the repayments to this Fund which would every year come in when the issue was stopped, and which repayments I placed in my estimate at 400,000*l.* The right hon. Gentleman the Member for the University of Cambridge seemed to correct me as to the repayments being 360,000*l.*; but he confused the amount of issue from the Consolidated Fund with the repayments in a way that, with his experience as a Chancellor of the Exchequer, somewhat surprised me. The fact is, that the annual amount issued from the Consolidated Fund is no measure of the amount of repayments. But the question arose, what were we to do with these repayments? Were we to pay this 400,000*l.* into the balances of the Exchequer? That was the first question. It is, no doubt, of the utmost importance that the balances in the Exchequer should be high. That is a very great principle. But, after all, the balances in the Exchequer are nothing more than the balances of the nation with its bankers; and the same rule must apply to a nation with its banker as to a private individual with his banker. Whether you bank with Messrs. Drummond, or with the Bank of England, neither would allow you any interest on your balances. It is necessary, therefore, for the nation, as for a private individual, to have a good, ample, and sufficient balance; but it is inexpedient, it is unwise, to have an excessive balance; and the consequence has been that the highest authorities, those most favourable to retaining a sufficient balance in the Exchequer, have laid down what may be considered rules for the amount of such balance. There is a certain point which it is considered inexpedient the balance in the Exchequer should surmount. The state of your balances in the Exchequer is this: they have long ago arrived at that point; at present they exceed it, and have done so for some time. Ever since 1842, with the exception of one year of startling and unexpected vicissitudes, the balances in the Exchequer have been very high, and higher than recommended by the best authorities. The proof is that, with the exception of 1848, never, from the period I have mentioned, has there been any occasion to borrow money, to receive any accommodation from the Bank of England for the current expenses of the State—that is to say, at the end of every quarter, when the dividends were about to be paid, there has always been in the Bank a balance sufficient to discharge the claims of the public creditor, and leave a sum ample enough for all the contingencies of the national expenditure. Since 1849, with one exception, when I think a sum of 400*l.* or 500*l.* was paid for deficiency bills, and that only from a technical mistake, the Government has never, in fact, been under the necessity of appealing to the Bank for advances. The Committee then will understand that if the 400,000*l.* in question had been paid in to the balances of the Exchequer it would in the present state of affairs have been just the same as locking up that sum in an iron chest; it would have been immovable and unprofitable. I must ask the indulgence of the Committee while I enter into these details. Treasury finance is a subject with which the House is not very conversant, but I hope the House will not think me presumptuous in attempting to instruct them upon it. My own knowledge on the subject is of course recent. I was not born and bred a Chancellor of the Exchequer—I am one of the Parliamentary rabble; but I trust, after all the observations that have been made, I may be permitted to show that I have not neglected to render myself acquainted with these affairs. One thing, I think, is quite clear. It is quite clear that the right hon. Gentleman the Member for Halifax is not in favour of this 400,000*l.* being paid in to the balances of the Exchequer, because I have shown you that, when brought into the Exchequer, it is unprofitable; but the right hon. Gentleman says, "The proper thing to do with it is this—it ought to go to reduce the debt." And the right hon. Gentleman the Member for the University of Cambridge echoes that—and I am glad to hear that admission, because the Government think the same.

1,000,000*l.* debt was created by funding Loan Exchequer bills in 1842, and therefore, say the right hon. Baronet and the right hon. Gentleman, you ought to reduce the debt, both therefore being against this sum being paid in to the balances of the Exchequer.

Now, let us examine this question of the reduction of the debt. Upon this subject there is some misapprehension prevalent in this House. I have been asked myself, "What do you leave for the reduction of the debt; in your financial statement you have left nothing?" Sir, the mode, method, and means by which the Sinking Fund acts, and the public debt of the country is liquidated, do not depend on the will of the Minister, or even upon a vote of the House of Commons: they are provided for by legislation. The law has prescribed the method by which you reduce the public debt of this country. There is in fact only one way of acting by the Sinking Fund, and the law has prescribed this —I beg the attention of the House, because this is a vital point of my argument —the law, I say, prescribes that every quarter of the financial year, an account shall be taken of our income and expenditure at the Treasury, and in case a surplus shall be ascertained to exist, one fourth of that surplus shall be instantly devoted to the liquidation of the public debt by the agency of the Sinking Fund. It is not left to the discretion of the Minister, or of a single House of Parliament; the law is inexorable and imperative. It is impossible to reduce the debt, unless you bring your resources into the Ways and Means. It is only by such a process that they can enter into the balance struck of income and expenditure, and that the surplus can be ascertained, and one-fourth of that surplus appropriated to the reduction of the debt.

And now I will show you how we propose to act on the debt in the way in which we have recommended Parliament to deal with this 400,000*l.* of repayments. The House will assume, for the sake of argument, that the surplus for the coming year is an accurate estimate.

Well, then, the account of income and expenditure is taken at the Treasury at the end of the first quarter of the financial year; and the surplus being 400,000*l.*, one-fourth of that is immediately devoted to the reduction of the debt by the action of the law. The same process takes place every three months—the same action takes place on the same surplus of 400,000*l.*, and thus at the end of the year the whole of the 400,000*l.* is devoted to the reduction of the debt. And, therefore, in three years time, all things remaining the same, and the repayments entering into the Treasury, the whole of that sum of funded Exchequer bills of 1,046,000*l.*, and the accumulated interest, will be liquidated, and the public debt reduced by that amount. There is no other way of acting on the public debt or reducing it — the course we propose to take is the only one that can be taken in the case—there is no alternative—the law has so decided it. By the course then we have recommended, we have in the first place put an end to a disastrous waste of public money. In the second place, we have relieved the Consolidated Fund from an annual payment of 300,000*l.*; and, in the third place, we have laid the foundation of a reduction of the public debt at least to the amount of the 1,000,000*l.* funded, and all its accumulations. The question, I apprehend, assumes a very different character after this explanation. But this is only a narrative of the conduct of the Government. Let us see what great authorities have said on this subject. Hitherto, as I have put the case, the House may be of opinion that we have acted discreetly but unprecedentedly. After the criticisms I have been subjected to, let me inform the House what was the opinion on the subject of the highest authorities. In 1822 a Select Committee was appointed to inquire into the public accounts, and to recommend the means by which the keeping of those accounts might be improved; and to that Committee we are indebted, with scarcely any exception, for all the forms of public accounts that now prevail. What was the recommendation of the Committee of 1822 with regard to these advances and repayments? That Committee, formed of the most distinguished men, concentrating their attention upon this sole subject, specifically recommended that all advances and repayments should enter into the account of income and expenditure; and for six years the advances and repayments so figure in the public accounts. It may be said there was another Select Committee on Public Accounts in 1828, and that they took a different view. That would not invalidate the high authority of the Committee of 1822; it would not deprive us of the authority that the course we have taken is not unprecedented, because I have proved that it was practised for six years. But let us inquire what was the opinion of the Committee of 1828. They certainly did recommend that it would be more convenient that advances and repayments should be kept in separate accounts from those of the income and expenditure. But I am informed by a distinguished Member of that Committee, that that recommendation did not arise from any adoption of the opinions now maintained on this subject by right hon. Gentlemen opposite; and they added this to their recommendation, that, whenever an issue was stopped and the account closed, then the general account was to be taken, and the repayments were to revert to their old position in the public accounts. So even the Committee of 1828 sanctioned the principle recommended by the Committee of 1822, so far as payments and receipts were concerned. But in 1829, a law was passed which deprived Ministers of any discretion on this head; and the only way the Act of 10 *Geo.* IV., c. 12, operates on the reduction of the debt—the only way a Minister can act in the reduction of the debt—is by bringing in, according to the recommendation of the Select Committee of 1822, the repayments under accounts closed to Ways and Means. It is painful to have to refer to these comparatively small matters, when matters of so much greater importance are before the Committee; but I hope that every Member will admit, that after the speeches we have heard, it is due to the Government, to the party I have the honour to represent, and to the House, that I should go into these details, and state clearly the circumstances before us, and vindicate, as I hope I have done, the course which we recommend.

Well, Sir, I now approach the second great arraignment of my financial statement by the right hon. Gentleman the Member for Halifax (Sir Charles Wood)—that is, the alleged mistake made in the estimates for the year after next, as to the loss which will accrue to the revenue from the proposed semi-repeal of the malt duty. The House will recollect that I estimated the loss which would accrue in the year 1854-55 from the alteration in the malt duty at 1,700,000*l.* Assuming that the amount of duty remitted would be about 2,500,000*l.*, and taking, of course, the most depreciatory view of the result of the reduction of duty, the Member for Halifax placed the amount derived from increased consumption as low as 200,000*l.*, and he added, "With 200,000*l.* obtained by the repeal of your Scotch drawback, the total loss will be 2,100,000*l.*" [Sir C. Wood: I gave you credit for 400,000*l.*] That is what I have just stated. He said I took the increased consumption at 800,000*l.*, which he described as preposterous—and altogether fictitious. Let us, however, Sir, examine the facts; let us see what they are. When I brought under the consideration of the Committee the subject of the repeal of the malt tax, I said that the Government had followed in their treatment of that tax the recommendation of the Royal Commission of Excise Inquiry, presided over by Sir H. Parnell, in 1832. The recommendation of that Commission was, that in case there was ever free trade in barley, one-half the malt tax should be repealed, and that the Scotch and Irish drawbacks should be terminated. In the interval since that Commission sat, the Irish have voluntarily renounced their drawback. The Commissioners further recommended that, when free trade in barley was established, and the malt tax was reduced to one-half, an end should be put to the enormous system of credit given to maltsters. I said that, although we wished to follow the recommendation of those eminent men the members of the Excise Commission as nearly as possible, we thought it important, in regard to the recommendation as to the reduction of the credit given to the maltsters, that the trade should not be disturbed, although we felt that the whole system was vicious in principle and pernicious in practice, and that it was necessary to make some considerable change. That subject has been under our consideration. Our object has been to put an end to, or to modify, a system which grew out of circumstances totally different from those of the age in which we live, and, while we placed the conduct of the trade upon a more healthy and satisfactory basis, not to disturb the trade. But the effect of the new arrangement we propose as to this credit, though in our opinion it will not in any way disturb the trade, will have an immediate influence upon the revenue. In the year 1854-55 there will be a sum of 600,000*l.* paid to the revenue, which, if this system of credit were not reformed, would not be obtained. Now, what did I do under these circumstances? Assuming that the numerical loss from the semi-repeal of the malt tax would be 2,500,000*l.*, I deducted from that amount the sum just stated, as regards the year 1854-5. That reduced the numerical loss to 1,900,000*l.* Then the sum of 200,000*l.* obtained by the repeal of the Scotch drawback would further reduce it to 1,700,000*l.* As I was not making a formal estimate to the House, and dealing with a time so remote, I would not make any allowance for that increased consumption which was admitted by the right hon. Gentleman. If I had made an allowance for the increased consumption, according to his estimate, the loss for the year 1854-5, instead of 1,700,000*l.* would have been only 1,500,000*l.*; but if I had made an allowance according to the estimate which was given me by the highest authorities in the trade, it would have reached a much lower sum. But, as I have never offered any estimate, since I have had the honour of addressing this House, which has not, I hope, been prudent and moderate, I refrained altogether from taking the influence of increased consumption into calculation; otherwise I might have fairly described the estimated surplus of 1854-5 at 800,000*l.* instead of 400,000*l.*

The Member for the University of Cambridge next advanced, and he disputed the accuracy of my estimate of the amount of drawback payable in October to the maltsters. He wanted to know on what *data* that estimate was framed. Well, Sir, I will tell him. After all, there is only one way of carrying on the public business. When a question of this kind arises, we must obtain the best information that we can get from the most authentic quarters, and must exercise our own judgment upon the facts which are placed before us. Well, Sir, the highest authorities—men whose information upon this subject is unequalled, and whose intelligence and integrity of character are indisputable — these, the highest authorities, united in recommending me to take one-third of the stock as the amount upon which I should have to pay drawback on the 10th of October; that is, one-sixth of the duty—and the sum I was recommended to take, as a very safe estimate of the amount of drawback, calculated by those who are perfectly acquainted with the trade, was 880,000*l.* Well, according to my habit, I estimated the amount of drawback at 1,000,000*l.*, and these are the numerals which have excited the indignant rhetoric of the Member for the University. "But why fix the 10th of October?" said the hon. and learned Member for Kidderminster (Mr. Lowe). "Here is a plot," said the hon. Gentlemen; "if we can only find out why the Government fix upon the 10th of October, we shall be able at once to penetrate these financial mystifications." That hon. Gentleman is an accession to our debates—he has shown, on the rare occasions on which he has addressed the House, considerable information; but there is, certainly, one subject on which his knowledge has been most conspicuous, and that is—brewing. I am surprised that an hon. Gentleman who seemed so complete a master of that art, and who made so eloquent a defence of the system of credit to maltsters, should, of all men, be the person to ask why we fixed upon the 10th of October for bringing into operation the half repeal of the malt tax. Now, I had calculated that if I should be as successful with regard to my Resolutions as I could possibly expect to be, it was not probable that the Resolution upon the malt tax would pass before March; but the policy which I announced and recommended in December, would, if I had not proposed a drawback, have completely paralysed the trade. Every maltster in the country would have stopped his operations. It was necessary I should announce that the Government would allow a drawback on stock in hand, and the consequence is that the trade goes on just as usual. The hon. Gentleman who possessed such remarkable information on the subject of brewing and malting ought to know that by far the greater amount of duty which is charged, and upon which the usual credit is given for 1853-4, is charged between the months of October and April. Malting virtually ceases at the end of May. From May to October malting does not go on; but there is something that does go on, and that is brewing. The brewer acts upon the stock of the maltster; and, therefore, when you have to pay the drawback, you pay it under the most advantageous circumstances in paying it at the period when the stock on hand is most reduced, and when the malting season again commences. In fixing the 10th of October, then, I fixed a date recommended by those best acquainted with the subject with which I was dealing. That is my answer to the inquiry of the hon. Gentleman.

Sir, I do not like to revert to a subject to which I have already referred; but I have just remembered that the hon. Member for Kidderminster said that he should look to me in my reply to notice the instance of the mortgage which he adduced as a parallel illustrative of the fallacy of my proposition respecting the 400,000*l.* repayments. Now, in deference to his challenge, I beg to offer him a parallel more apposite than his own. I will suppose the case of a careful father of a family, who every three months takes account of his expenditure and income, and devotes one-fourth of his surplus to the payment of his debts, a portion of those debts being incurred by advances to his son; but the son, when he makes the repayments for these advances, makes them into the hands of a banker, by whom no interest is given, so the father, instead of allowing the money to remain idly there, takes it into his general account, and when he strikes his quarterly balance applies the repayments as part of his surplus to the reduction of his debts. That is my answer to the case of the hon. Gentleman, and I humbly deem my instance an exacter parallel than his own.

Then there is another subject upon which the hon. and learned Member for Kidderminster is a great authority, and that not only here, but I suspect elsewhere. According to the hon. Gentleman, the Kafir war has broken out again. Now I made a statement to the House a fortnight ago respecting the prospects of extraordinary expenditure with regard to the Kafir war. I formed my opinion on the Kafir war—with great deference to the despatches which are received by my right hon. Friend the Secretary of State—from the despatches which are forwarded to my own department from a branch of the service under my immediate supervision —I mean the commissariat department, a branch of the service which deals entirely with the extraordinary expenditure under the control of the Treasury. Whatever the result may be, it is my duty to express my belief that the public funds were never more ably administered than by those who have regulated the extraordinary expenditure of the Kafir war in the commissariat department. That department communicates directly with the Treasury, and, although these despatches naturally confine themselves mainly to the question of expenditure, there is a great deal of valuable information conveyed in them to the Government in a less formal manner than in the despatches received in other quarters. Well, upon the information which I have thus received, which has never yet deceived me, which has justified me, at the commencement of the year, in not calling upon the House to confirm their vote of 200,000*l.*, I made the statement the other night, that I believed the Kafir war was terminated. We have had more recent information; and I can truly say that all the information that has reached me has entirely substantiated the statement I made upon the previous authority. I have no hesitation in saying, the Kafir war is terminated. The best evidence I have is, that the commissariat department who are dealing with the extraordinary expenditure, the only one that figures in our estimate, are winding up their extraordinary accounts; and they have announced to me that, except for some casualties, which are always liable to occur in any account, they will not trouble me for any further advances. They also give incidental details of the state of the country, which convince me that the war is finished. In a war with a savage country you cannot have peace suddenly and precisely ascertained, as you may with a nation with which you can enter into a treaty, or where you can take the capital, or where some incident occurs which convinces all the inhabitants that the struggle is over. A sort of flickering ember there may be; and to the last an officer may be shot, or some straggling assassination may occur; but that the Kafirs can now bring any force into the field, I believe the Committee may be satisfied is impossible. It is not that several chiefs have surrendered —these things have happened before; it is not that the Waterkloof is cleared—though that is important; but it is that in the bush, in the Amatolas, skeletons of the Kafirs are found; it is clear that they have no means of subsistence; they are lingering in the bush and dying. The same ship that brought me the information on which I formed my opinion, of course brought despatches to the Secretary of State; and here is a despatch of General Cathcart. I will read a paragraph from it, if the Committee wish; it is strictly in keeping with the subject; we are vindicating the Estimates, and I rather think I ought to do so. It is dated from Graham's Town, the 12th of October, 1852:—

> "By this report, and other events which are detailed in my despatch respecting British Caffraria, you will perceive that the war or rebellion may now be considered at an end; and, as it has been attained not by any compromise or treaty, but by force of arms, and a severe moral lesson,

by the dispersion and expulsion of the most powerful tribe from the natural strongholds which they long believed to be impregnable, cannot fail to impress upon those who are conscious of their inferiority in respect to these natural advantages, the ultimate ruin and destruction that must be the result of rebellious opposition to Her Majesty's authority; and there is reason to hope, provided that authority be duly supported by an adequate permanent military establishment"—[Sir W. MOLESWORTH: Hear, hear!] "that any similar protracted and expensive Caffrarian war may be long averted."

I read that because it is a definite announcement. With respect to the "adequate military establishment," the hon. Baronet need not be alarmed; it will be very moderate; we shall depend upon the mounted police, which is a colonial force, paid for of course by the colony—a colony with a free constitution. Colonies with constitutions will, I apprehend, always be ready to defray the expense of self-defence. The head-quarters of General Cathcart are now at Graham's Town. He has withdrawn two regiments from the seat of war, and I trust we shall soon be able to withdraw others.

Sir, there is another point in the Estimate, which I ought to notice, which has been urged by the right hon. Gentleman the Member for Cambridge University (Mr. Goulburn). He said I had made no allowance for the loss to the revenue from the proposed permission for refining sugar in bond. It is very inconvenient for me, at this moment, to refer in any detail to the subject of refining in bond. The refining in bond will depend upon certain conditions. I have pledged myself that those conditions shall be shortly placed before those most interested, and I think it improper that they shall be previously bruited about. I can only say, therefore, at present that I do not make any allowance for a loss on refining in bond, because I believe not the slightest loss to the revenue will occur. I hope the right hon. Gentleman will at present be satisfied with my giving my opinion, and not press me to go into any detail upon this point.

Sir, I approach more serious subjects. It has been said that the house tax has been proposed by the Government in order to enable them to carry the semi-repeal of the malt tax. Well, I admit that that is a very plausible charge; it is a good party charge. I find no fault with any Gentleman opposite who makes the charge. It is very possible that, were I in their situation, I should have made the charge myself. Nevertheless, though it be a plausible charge, a good party charge, it is not a just charge. These measures have no connexion whatever in the policy we have thought it our duty to recommend.

Sir, the right hon. Gentleman opposite informed the House on Tuesday night that I had promised the country a new system of taxation; but he did not produce any authority for that statement, and when statements of such magnitude are made, authorities should be furnished. I will sit down now, if the right hon. Gentleman will rise and give me the authority. It is very true that the lively Member for Middlesex (Mr. Osborne) quoted a passage from an address to my constituents, which certainly was not merely made to my constituents in Buckinghamshire, but to those in other places whom my feeble authority might influence; but if an opponent could have wished to assist the man whose adversary he was, he could not have done me more justice or given me a better turn than the Member for Middlesex has done in quoting the passage in question. I listened to his speech with all that pleasure which I am sure the House shared. I think it was one of his best speeches; but the passage which most gratified me was that which he quoted from my own address, for I had not seen that address for a long time, and really, after some of these charges which have been lately made, I had arrived at almost a nervous state as to its contents. What did I say there? I, who am charged with misleading the farmers at the election, and throwing them over afterwards—I said that the genius of the age was in favour of free exchange, and that it was in vain to struggle against it—that they must find the means of meeting it by reducing the cost of production, and that one of the means of reducing the cost of production was a revision of taxation. I think more sensible advice, expressed in more moderate language, could not have been given—yet I am described as having deceived the farmers before the election, and thrown them over afterwards.

Sir, the right hon. Gentleman says, we are assembled here to receive the new system of taxation which I promised. Where is his authority? Her Majesty's Government have fulfilled all that they promised; they did not promise a new system of taxation, but they did promise a revision of the taxation of the country. The Committee will, I hope, excuse my dwelling on this point. We did think it necessary to revise our system of taxation. We gave to the subject a long, an anxious, and an impartial consideration. In reviewing that, which I may truly call a colossal subject, the question naturally divided itself into several groups—if I may use a word now familiar to us. We had to consider those articles that enter into the general consumption of the people, that are necessary for their healthy sustenance, and that are exposed to enormous imposts, such as tea and malt. That was one subject on which we felt that it was necessary something should be done to meet the principle of unrestricted competition, now permanently established as the principle of our commercial code. We wished in this respect more nearly to assimilate our financial with our commercial system. We had to consider the whole question of the stamp duties with reference to those real burdens upon land —upon the transfer of land, which must sooner or later be dealt with; and a question of the utmost difficulty which must also not long be neglected—the question of the legacy and probate duties. We had to consider whether it was possible to propose to Parliament a duty on succession, which, in connexion with the total reform of the burdens on the transfer of land, would be an equitable and just settlement of the question, and one which was for the welfare of all classes. That is what I may call the second group. We had, in the third place, to consider those Excise laws which exercise a pernicious influence upon the employment of capital and upon the employment of labour, like the soap and paper duties. The question of the assessed taxes, with the necessary reforms which they require, alone form a fourth group. We were obliged to consider the whole of our tariff with regard to our commercial relations with other countries, because there was an inclination in some countries to increase those commercial relations, and we wished to encourage them. These were five great subjects, all of them demanding our attention, with all of which, sooner or later, a Government must deal; and we had to choose how we would commence this arduous enterprise. But there was a very important question also to consider when we took this general survey of our financial system—a very important question to settle before we could decide even as to the first step we should take—and that was how far we could prevail upon the country to consent to that amount of direct taxation which was necessary for any Ministry that should attempt to enter into a career of financial reform.

Sir, I have been accused by the Member for Halifax (Sir C. Wood) of making a proposition which recklessly increases the direct taxation of the country. I have been accused by the Member for Carlisle (Sir James Graham)—prompt in accusation at all times—of pushing direct taxation to a rash extreme. In the first place, the proposition I made on the part of the Government, instead of recklessly increasing the amount of direct taxation, would not, if it passed, occasion so great an amount of direct taxation as prevailed under the superintendence of the finances by the right hon. Gentleman the Member for Halifax himself, when he enjoyed, not only the income and property tax, but the window tax, which, in the last year of its existence, brought him nearly 2,000,000*l.* sterling. The right hon. Gentleman, who says you must not recklessly increase the amount of direct taxation, and charges me with doing so, when, in 1850, he commuted the window tax for a house tax, first proposed, though fruitlessly, a commutation which would have established a higher house tax than that which we now recommend, coupled by us with great remissions of indirect imposts. But is this all? Is this all that has been done by the right hon. Gentleman who charges me with proposing recklessly to increase the direct taxation of the country? Why, he seems to forget that he is the Minister who with the property and income tax you have now producing its full amount, with a window tax that brought nearly 2,000,000*l.*, came down to the House of Commons one day and proposed to a startled assembly to double nearly that property and income tax. Recklessness! Why, Sir, if recklessness be carelessness of consequences, if it be the conduct of a man who has not well weighed the enterprise in which he is embarked, what are we to esteem this behaviour of the right hon. Gentleman? We hear much of the duplication of the house tax—an innocent amount; but if the right hon. Gentleman had carried the duplication of the property and income tax, I think he might fairly have been charged with recklessly increasing the direct taxation of the country. The most curious thing, however, is, that the Minister who came forward to make a proposition which nothing but the most grave conjuncture of circumstances could have justified, at the first menace of opposition withdrew his proposition. Talk of recklessness! Why, what in the history of finance is equal to the recklessness of the right hon. Gentleman? And what was the ground on which he withdrew this enormous proposition—a proposition which only the safety of the State would have justified him in making? When he was beaten, baffled, humiliated, he came down to the House of Commons and said that he had sufficient revenue without resorting to that proposition! The future historian will not be believed when he states that a Minister came down with a proposition nearly to double the income tax, and when that measure was rejected, the next day announced that the Ways and Means were ample without it. But then the right hon. Gentleman tells me, in not very polished, and scarcely in Parliamentary language, that I do not know my business. He may have learned his business. The House of Commons is the best judge of that; I care not to be his critic. Yet if he has learnt his business, he has still to learn some other things—he has to learn that petulance is not sarcasm, and that insolence is not invective.

The Committee will permit me to remind them that in dealing with those five great groups of taxation to which I have called their attention, and all of which I may say equally demanded the consideration of a Minister, we had to deal with the great subject of direct taxation. There was, indeed, the income and property tax in existence for a brief space. It was, perhaps, possible that the Ministry might have come forward in the House of Commons and obtained a temporary continuance of that impost. That was not, however, by any means certain. But there were, Sir, peculiar circumstances connected with the position of the Ministers with respect to the property and income tax. Her Majesty's Government were of opinion that the time could no longer be delayed when the Government of this country must recognise a difference between the incomes which accrued from precarious and incomes which accrued from realised property. It was evident that such an acknowledgment acted upon must diminish the produce from that tax at a moment when certainly we did not wish our resources from direct taxation to be diminished. It is difficult to answer every observation that has been made in the course of this debate; but another right hon. Gentleman, who recently spoke, has been criticising, I think, before the appropriate time, what he calls my Bill with respect to the property and income tax. In the first place, my Bill is not before the House. When he sees it he may criticise it. Nobody, who has had to prepare a property and income tax, can be ignorant that there are some anomalies in Schedule D. The anomalies, however, are not confined merely to that schedule. To frame a complete measure on this subject would baffle the happiest genius in finance. There are no doubt alterations which may be made in the arrangement of the schedules; it will be open to any Member to propose such. But if they be made, they will not affect, at least not materially, the financial result which I placed before the Committee. In laying the Resolutions on the property and income tax on the table, we did not propose to proceed with them before Christmas. We placed them on the table that the principle of the whole of our financial measures should be before Members. The Resolutions express the principle we wish to assert. That is all we attempted at this moment. There may be, there unquestionably are, minor modifications of the schedules possible; but between the general statement of our policy and laying the Resolutions on the table, there was no time to consider these less important points, nor, had there been time, would it have been opportune to do so. We reserved their consideration until the occasion of calling the attention of the House to the general question of the renewal of the tax.

We had, then, to consider the great question of direct taxation. It was totally impossible — with whatever group we commenced—that we could embark on a career of financial reform really efficient, unless we had a certain amount of direct taxation, still including the income tax, to which we could trust. What is the rule we laid down? Instead of being reckless, or, in the language of the right hon. Gentleman the Member for Carlisle, ready to push direct taxation to a rash extreme, we resolved that the sum of direct taxation on which we should rest should be in amount of revenue inferior to that which had recently prevailed in this country, and which, since the repeal of the corn laws, has been cheerfully assented to by the people. Well, we had then to lay down two principles in dealing with direct taxation. We had to assert, as regarded the property and income tax, a difference between incomes of a precarious and incomes of a fixed character. We had next to vindicate a principle which we believed, and do believe, is a just one, and which, if not now, must ultimately be recognised and adopted, namely, that the basis of direct taxation should be enlarged. Having these two principles to guide us in devising means by which we were to obtain the amount of direct taxation necessary for our purpose, we believe that we have applied them moderately, temperately, scientifically, and wisely, in the measures before the House. We believe that the difference which we recognise between realised and precarious incomes is one which certainly does not err on the side of excess; but that the recognition of that difference is also one which will justly gratify the working millions of this country, and that in asking them to contribute to the revenue of the country, by extending and increasing the house tax, we are taking a course which, in its operation and ultimate results, will be greatly for their interests. The question of the suffrage has been introduced into this debate. The policy of mixing up the franchise necessarily with taxation is, in my opinion, very questionable; but I say to those Gentlemen on the other side of the House who have sought to introduce this question of the suffrage, that if it is to be a permanent feature of our social system that there shall be a particular class invested with political power, which shall exercise that power to throw an undue weight of direct taxation upon the wealthier portion of the community, and an undue weight of indirect taxation on the working classes, I cannot imagine a circumstance more fatal to this country, or one more pregnant of disastrous consequences. But of this I feel convinced, that those who will first experience the disastrous consequences will be the privileged class itself.

There was one other observation by the Member for Carlisle which I feel I ought to notice. That right hon. Gentleman, whom I will not say I greatly respect, but rather whom I greatly regard, particularly dilated on the hard case of that class whose incomes amount to between 100*l.* and 150*l.* a year; those whom he considered to form the most straitened class perhaps in the country, and who bore most of the brunt of indirect taxation. That argument, or that assertion rather, has been followed up this evening by the hon. and learned Gentleman the Member for Southampton (Sir A. Cockburn). Now, that subject has been investigated by men who have devoted their lives to the study of these questions, and whose opinions are superior to all party contentions. It has recently been investigated by a gentleman who is what is called a Liberal, and who, if he were a Member of this House, would sit opposite to me—I mean Mr. Gregg, one of the most able inquirers into these subjects of the present day; and it is his opinion —and I believe that if any position has been more completely established than another as regards the incidence of taxation, it is this—that there is no class upon whom that incidence falls more lightly than upon those who possess incomes from 100*l.* to 150*l.* a year. It is that class who possess property of 300*l.* or 400*l.* a year who bear the brunt of indirect taxation. That can be shown in the most complete and satisfactory manner. But we had on Tuesday night a doleful and piteous appeal made to the House upon the hardship of taxing "poor clerks," with incomes of between 100*l.* and 150*l.* a year. The right hon. Gentleman stated that 150*l.* a year was exactly that point in the scale where manual labour ends and professional skill begins. You can recall the effective manner in which the right hon. Gentleman stated this. He showed himself an unrivalled artist when he told us that this was the point where the fustian jacket ceased, and broadcloth began.

Few can comprehend the labour of research and thought necessary to determine the just incidence of taxation. I am sure that there has been nothing ever written on the subject of which I have not attempted to avoid myself. My researches have not been meagre. I hope I am superior to quoting *Hansard*, "and all that"—but I may state that among the documents, public and official—the records of the great Ministers who have preceded my humble efforts—which I read to guide me, I found one which greatly influenced me. I found the Superannuation Bill of 1834, which was drawn up and introduced by the right hon. Gentleman the Member for Carlisle, being one of those laudable efforts which the right hon. Gentleman has made to improve the administration of the country. Well, this was its principle—I found in that Bill that the line was drawn at 100*l.* per annum; that the "poor clerk" under that sum only pays 2½ per cent, while the poor clerk above that sum, though he may only have 110*l.* a year, pays 5 per cent. That was one of the reckless legislative labours of the right hon. Gentleman the Member for Carlisle. I know my deficiencies as well as any man in this House—probably better. But, after all, what, I ask, is to guide us? I am perfectly willing not to lay too much stress on the *epea pteroenta* uttered in the heat of debate; but when I refer to public records, and when I look at a statute of the realm, then I have a right to suppose that I encounter the calm, solid, and solemn conclusions of a statesman. Though I would not quote a passage of a speech as absolute authority for legislation, yet if I find a principle embalmed in a statute, I feel that, although time may have elapsed and though opinions may have changed upon other matters, this is the better mind of the man, and, being the better mind of a most able man, I confess the reading of that statute did influence me in that arrangement I have proposed, with regard to the income tax, respecting the "poor clerks" which the right hon. Gentleman has so severely criticised. And remember what has happened to the "poor clerks" since 1834, when this statute was drawn; remember all the reductions of taxation which have been effected since that time, and of which the "poor clerk" has had the benefit. Remember the repeal of the corn laws. Look at the position of the "poor clerk" with 110*l.* a year, and who had a double superannuation tax placed upon him by the right hon. Gentleman; and look at his position now. I say without hesitation, that I do not believe that the condition of any class has since that time been so much improved as that of the clerks whose salaries range between 100*l.* and 150*l.* a year.

Well, having decided that it was necessary, before we undertook the great labour which we felt it our duty to embark in, that we should have a certain amount of direct taxation to rest upon; having determined that we would make this difference in the assessment in the schedules between realised and precarious incomes, which must inevitably reduce the amount of direct taxation from that source which our predecessors enjoyed; having believed that we had attempted to supply the necessary amount by our proposition with respect to the house tax in a manner which was reasonable, which was just, which was on the whole most beneficial to the community, which in its operation would ultimately tend to confer advantages on those on whom the tax was to be imposed; having by this measure, if successful, succeeded in obtaining the amount of direct taxation which was necessary, but which was still inferior in amount to that which only a few years ago had been enjoyed by our predecessors, we had to decide upon which of the five groups of taxation we should operate. Recognising—I am obliged to repeat it—recognising the great and permanent revolution which has occurred in the commercial system of this country—recognising, as we have done, unrestricted competition as the principle on which our commercial policy is henceforward to be based; and wishing to assimilate our financial to our commercial system, and assuming that we had obtained this amount of direct taxation to rest upon, we ultimately decided that it would be the wisest course to commence by acting upon those articles which entered most into the consumption of the people, and that it would be for their salutary advantage if we selected those articles which were subjected to the largest impost. Now, that is the real history of the connexion between the imposition of direct, and the remission of indirect, taxes, as they appear in the propositions before us. Under these circumstances we were induced to recommend to the House the proposition which we have made with respect to the tea and malt duties.

Sir, at this late hour I will endeavour to be as succinct as possible, and will not, therefore, go into the question of the reduction of the tea duties. I think the House and the country have recognised the wisdom of the course we have recommended. Neither at this late hour will I enter into any elaborate argument on the subject of the effect which will be produced by the modification of the malt tax. I am told, that if you reduce the tax on the consumer, and only as a tax on the consumer—and to that point I shall advert presently, as being in perfect harmony with the principles laid down in our revision of the taxation—on one article, to the extent of 2,500,000*l.* sterling, that we shall not in any way affect price, and that all the reduction will go to the brewer. Sir, I remember when we used to discuss the effect of taxation on another article, that similar observations were made. I do not care now to remember from what quarter they emanated, but the effect and object of those observations were exactly the same. Then it was, "Oh! those villains, the bakers!" just as now it is to be "those villains, the brewers!" You might reduce the price of corn—you might injure the agricultural interest—you might ruin the farmers and the country gentlemen—but you could not reduce the price of the loaf to the consumer. No; the bakers took it all. Yes—and there were the millers too. The millers were the worst of all—they carried off all the reduction. Well, those arguments had a considerable effect, and there was such a prejudice raised against the bakers throughout the country, that I should not have been surprised if they had been all hanged in one day, as the bakers had once been in Constantinople. At that time it used to be shown that a fall of 10*s.* a quarter on wheat would not affect the price of bread; and we were told that the bakers then, like the brewers now, were a great monopoly—if not great capitalists—they were a kind of Freemasons; and, do what you would, it would be totally impossible in any way ever to get a cheap loaf. And now—such are the vicissitudes of political life—now we hear the same argument from those Gentlemen who used to dilate so eloquently on the necessity of buying in the cheapest and selling in the dearest market. The great friends of the consumer—the enemies of colossal monopolies—here we find them all arrayed in favour of high taxation for the producer, and here we find them, with taunts to us, teaching all the fallacies which we at least have had the courage honourably to give up. Tell me Protection is dead! Tell me there is no Protectionist party in the country! Why, 'tis rampant, and 'tis there! They have taken up our principles with our benches, and I believe they will be quite as unsuccessful.

I must here make one observation. I say it is in the interest of the consumer, in complete accordance with the principles we laid down in revising the taxation of the country, that we have proposed this measure, but I do not say it will not be for the interest of the cultivator of of the soil, any more than I think that by remitting the duty on tea we have not done that which will greatly promote the welfare of our Indian commerce and our China trade. But we do not bring forward these propositions in that sense, for the advantage of the mercantile interest of India, or for the benefit of our trade with China. Let the farmers—or even those odious beings the owners of the soil—have the benefits of this legislation just the same as you admit the manufacturer of Manchester or the merchant of Liverpool to find in his transactions the advantage of reducing the price of bread or the price of tea. What we say is this—Deal with the interest of the consumer, and incidentally you will find that you are producing the greatest advantage to the great productive interests of the country. But, Sir, I am told, that in repealing a portion of the malt tax—notwithstanding that I showed you in my statement how modestly I have put the resources of the country—I have shaken to its foundation the credit of England. The credit of England depends on a farthing a pot on the poor man's beer! Never shall I forget how that "weird Sibyl," the Member for Cambridge University, gave forth that solemn oracle. The public credit of England in danger! I doubt whether such mere personal imputations and wide assertions are quite justifiable. He says the public credit is in danger. Well, I don't think it is. I think public credit never was in a better position. I never remember any period in the history of this country when her recources were, I may say, daily, so visibly increasing. I will not now, Sir, enter into any discussion as to the cause of that prosperity—whether it be to the influx of gold, the repeal of the corn laws, to emigration, or to any thing else—though Sir as to emigration, there was one point in the speech of the hon. Member for Kidderminster to which I ought to make, perhaps, some reference. I hold the opinion of the hon. Member for Kidderminster to be quite as heretical on emigration as it is upon brewing and upon malt. I repeat that I am very glad to find him here among us; but all the opinions I have heard from him yet appear to be anything but sound. I continue in that opinion. In the first place, the hon. Gentleman confounded Ireland and England; though I, at considerable pains, and perhaps not necessarily, showed the distinction between them the other night. As to England, it will be interesting to hon. Members to be made acquainted with a passage from a letter written by an eminent actuary and perhaps our ablest statistical inquirer. His name is well known to the hon. Member for Montrose, for he gave important evidence before the Committee on the income tax. "The rate," he says, "of births and marriages has greatly increased in this country, and I think emigration may facilitate the rate rather than impede it—the reserve of producing power which we have in this country"—that is a point I wish to bring to the attention of the hon. Member for Kidderminster. He has lived abroad in a country with a sparse population, and he has no idea of the reserve of producing power we have here. But he goes on, "The reserve of producing power which we have in this country, you may infer from the fact that in the south-eastern counties to 100 married women of ages between 20 and 45, there are 70 women of the same age—that is, from 20 to 45—unmarried, of whom only about seven bear children, notwithstanding." Now, I have confidence in the reserve of producing power, which I think the hon. Member, with his colonial experience, had not given sufficient credit to us for. Now, Sir, our opinion is, that under the arrangements which we have recommended, the surplus revenue of the country will be very considerable at the end of the year 1854-55. But Sir, I look to other recources for that year than to increasing profits or to the increased population of this country, and I will mention what they are. I look to a great retrenchment in the public expenditure of this country; and I will, if the Committee allow me, advert for one moment to this topic. I believe that any great retrenchment can only be secured by consulting the efficiency of our establishments, and trusting to the economy which is the natural consequence of that efficiency. I do not think it possible that the result can be reaped till 1854-55. I hope the House will permit me very shortly to show to them, by a remarkable illustration, what is the result of administrative reforms conducted on the principle of efficiency, without any regard to what is called mere economy. I, in my estimate of the effects of administrative reform, should have spoken of millions; but I am now going to deal with an instance in which only thousands of pounds are concerned; but the case I am about to lay before you is a real case which, however slight in instance, will serve to show the principle. It is due to my noble Friend the Member for Buckingham (the Marquess of Chandos) to say, that I am entirely indebted to him for the case in question; and I may most sincerely say of him that since he has been in the service of Her Majesty, there never was a public man who devoted his life so completely to the public service. In preparing the measures of administrative reform which I wish to bring before the House, and in making a catalogue of the establishments to be attended to, I found in the Report of the Select Committee of 1848 upon Miscellaneous Expenditure, of which I believe an hon. Member opposite was the chairman, this memorandum: "Whether a reform might not be effected by uniting the Chief Secretary's Office in Ireland with the Privy Council Office." That suggestion was made in 1848. I called the attention of my noble Friend the Member for Buckingham to this passage, and I said, "Will you go to Ireland and will you take somebody with you to aid you in your labours, and examine into this question of the Chief Secretary's Office? But, mind you, mere retrenchment is not our object; our object is efficiency. If more money is necessary to make the department efficient, you shall have it; but go to Ireland, examine into the whole question, and report to me by what means you can render the office more efficient." Well, Sir, he went to Ireland, accompanied by the Secretary of the Audit Board, one of the most intelligent and assiduous of our public officers. They made their inquiries into the Chief Secretary's Office at Dublin. Remember that by the Report of the Committee of 1848 it was suggested whether the consolidation of the Chief Secretary's Office and the Privy Council Office would not be practicable. My noble Friend, however, effected a consolidation, not only of the Chief Secretary's Office and the Privy Council Office, but of the Fines and Penalties' Office. He had to deal with departments maintained at an annual cost of 21,738*l.* He put the whole office into the most efficient state that a public office can be in; and the consequence of its being put into a most efficient state is, that the cost of 21,738*l.* has been reduced by the sum of 5,178*l.* Thus, the saving effected by an inquiry conducted without any other consideration but that of efficiency, produced a saving of 25 per cent upon the original cost; and yet I am told that nothing can be done in administrative reforms. I must, in justice to my noble Friend, notice another instance. My noble Friend is of a too retiring nature; there are very few men more capable of imparting information to the House, especially upon matters of finance; but he takes refuge instead in that indomitable power of application for which he is distinguished. There was an application made, and apparently a very fair one, by the office of the Secretary at War, when the Militia Bill was passed, for an increase of staff. There was of course a very considerable increase of duty in the office consequent upon the new measure, and it was just one of those demands which might have been conceded heedlessly, and with which any one, upon a superficial view of the case, might have readily accorded. But I, having great confidence in the principle of administrative reform, and equal confidence in the abilities of my noble Friend, before we agreed to any increase of expenditure, requested him to appoint a Committee of Inquiry, which he did with the Assistant Secretary of the Treasury, the Secretary of the Audit Board, and a gentleman not now a Member of this House, for whom I have a great respect, the present Deputy Secretary of War (Mr. B. Hawes). The Committee examined the subject, and put the office into a most efficient state, and the whole of the additional business is carried on without one farthing of additional expense. In the case of the Irish Office, the persons employed were reduced from 57 to 40. But allow me to remind the House that retrenchment was not the object, although economy was the result. Efficiency was the object, and it was effected at a saving of expense. These are, some may think, minute instances, but they are instances well worthy of attention.

The Government have been dealing, however, with much larger instances. They have been attempting to deal with the great departments of public expenditure; and, as the results of that attempt, I, as the organ of the Government, express our opinion that there may be a very considerable retrenchment made in the public expenditure, and that this retrenchment may be brought to bear in the year 1854-55. But, Sir, one thing is quite clear—that you cannot embark in an undertaking of this kind unless you have the fair support of the House of Commons. Now, my own opinion is this—that it is not wise to grapple with these great departments of public expenditure by Committees of the House of Commons. I am of opinion that you must deal with them by Commissions—the same Commissions that have been brought to bear upon the Revenue departments; but, although we may have Commissions and the Royal sanction, it is necessary that the questions should be fairly brought before the House of Commons in the way of exposition, so that you should also have the moral sanction and support of that House. It is perhaps the most difficult undertaking which a Minister can embark in; and unless he has, I may say, both the Crown and Parliament to back him, failure is certain; though with that support I think success is equally sure. Well, then, when I am told that I have no good ground for my surplus of 1854-55, my answer is, that I believe we shall have much more than the surplus which I cursorily ventured upon in my general statement. I tell you that we have other resources upon which we depend, and that I believe it will be the fault of the House of Commons if in the year 1854-55 they do not find their public service more efficient than it is, and less costly.

I think I have now noticed every objection of importance which has been brought against the Government propositions. I have avoided entering into the question as to the unconstitutionality of our conduct with respect to the income tax. Legitimate opportunities will hereafter arise for commenting upon all that may be said upon this head; and the House will, I doubt not, come to a fair decision upon it. Although many minute objections have been made to points of detail, I have not stopped to notice these. I have not stopped to vindicate that part of the income tax relating to the farmers' schedule. I shall be prepared to lay before the Committee the facts and reasons which have induced us to take that course; but I may state now that our only object was to make as close an approximation to justice as possible; and I will not vote for that schedule if it is not the prevailing feeling of the House that it is a just arrangement. I will not enter now into the question of the hop duty and things of that kind. After so protracted a debate, and following so many speakers who commented upon so many points in the financial scheme of the Government, I hope the Committee will feel that if I have avoided some of those points, it has been from deference to the time of the House, and not from any wish of my own to avoid the discussion.

But some advice has been offered to me which I ought, perhaps, to notice. I have been told to withdraw my Budget. I was told that Mr. Pitt withdrew his Budget, and I know that more recently other persons have done so too. Sir, I do not aspire to the fame of Mr. Pitt, but I will not submit to the degradation of others. No, Sir; I have seen the consequences of a Government not being able to pass their measures—consequences not honourable to the Government, not advantageous to the country, and not, in my opinion, conductive to the reputation of this House, which is most dear to me. I remember a Budget which was withdrawn, and re-withdrawn, and withdrawn again in the year 1848. What was the consequence of that Government thus existing upon sufferance? What was the consequence to the finances of the country? Why, that injurious, unjust, and ignoble transaction respecting the commutation of the window tax and house duty, which now I am obliged to attempt to remedy. The grievance is deeper than mere questions of party consideration. When parties are balanced—when a Government cannot pass its measures—the highest principles of public life, the most important of the dogmas of politics, degenerate into party questions. Look at this question of direct taxation—the most important question of the day. It is a question which must sooner or later force itself upon everybody's attention; and I see before me many who I know sympathise, so far as that important principle is concerned, with the policy of the Government. Well, direct taxation although applied with wisdom, temperance, and prudence has become a party question. Talk of administrative reform! Talk of issuing commissions to inquire into our dockyards! Why, if I were, which is not impossible, by intense labour to bring forward a scheme which might save a million annually to the country, administrative reform would become a party question to-morrow. Yes! I know what I have to face. I have to face a coalition. The combination may be successful. A coalition has before this been successful. But coalitions, although successful, have always found this, that their triumph has been brief. This too I know, that England does not love coalitions. I appeal from the coalition to that public opinion which governs this country—to that public opinion whose mild and irresistible influence can control even the decrees of Parliaments, and without whose support the most august and ancient institutions are but "the baseless fabric of a vision."

MR. GLADSTONE: I am reluctant, Mr. Patten, to trespass upon the attention of the Committee, but it appears to me that the speech we have just heard is a speech that ought to meet with a reply, and that, too, on the moment; and, Sir, I begin by telling the right hon. Gentleman the Chancellor of the Exchequer that I postpone for some minutes the inquiry whether he knows business or not, that there are some things which he, too, has yet to learn. There were other reasons, besides the reason of triviality and irrelevancy, why a discussion should have been avoided to-night by the right hon. Gentleman on the subject of emigration. And I tell the right hon. Gentleman more—that the licence of language he has used—the phrases he has applied to the characters of public men—[*Loud cries of* "Hear, hear!"]—that the phrases he has applied to the characters of public men, whose career—[*The remainder of the sentence was drowned in renewed cries from both sides of the House.*]—Mr. Patten, my wish is to keep myself, although I confess that I could not hear those phrases used and remain totally unmoved—my wish is to keep myself strictly within the bounds of Parliamentary order and propriety, and I beg of you, Sir, that if in one syllable I trespass beyond those bounds, you will have the kindness to correct me. I do not address myself to those Gentlemen belonging to the great party opposite, from whom I have never received anything but courtesy and forbearance — [*Interruption*] — but, notwithstanding the efforts of some Gentlemen in a remote corner of the House, who avail themselves of darkness to interrupt me, I will tell them this, that they must bear to have their Chancellor of the Exchequer, who is so free in his comments upon the conduct of others, brought to the bar of the opinion of this Committee, and tried by those laws of decency and propriety— [*Cheers and* *confusion, which drowned the remainder of the sentence.*] Sir, we are accustomed here to attach to the words of the Minister of the Crown a great authority—and that disposition to attach authority, as it is required by the public interest, so it has been usually justified by the conduct and character of those Ministers; but I must tell the right hon. Gentleman that he is not entitled to charge with insolence men who — [*Renewed cheers again drowned the remaining words of the sentence.*] I must tell the right hon. Gentleman that he is not entitled to say to my right hon. Friend the Member for Carlisle (Sir J. Graham) that he regards him, but that he does not respect him. I must tell the right hon. Gentleman that whatever he has learned—and he has learned much—he has not yet learned the limits of discretion, of moderation, and of forbearance, that ought to restrain the conduct and language of every Member of this House, the disregard of which is an offence in the meanest amongst us, but it is of tenfold weight when committed by the leader of the House of Commons. And now, Sir, passing on from this most painful subject, I wish to call the attention of the Committee to the vote that is before us, and convey to them my opinion of the position in which we stand. We are coming to a vote, Sir, on the first of a series of Resolutions which have been placed in your hands. In that first Resolution was contained two leading propositions, in which the proposal now made to the Committee varies the present state of the law. By one of these propositions the area on which the house tax is laid is extended beyond that space which it at present occupies, but is extended only to houses of the value of 10*l.* By the other of these provisions the rate of the house tax is doubled, and it has been said to-night, and it has been said on other occasions, that if Gentlemen will but vote for the double house tax on this occasion, they will be perfectly free to depart from and alter that vote on any future stages of the measure. Now, Sir, it is most important that we should know in what sense this is true. I apprehend that we have here an unbounded liberty of action, that there are a vast number of stages provided in every measure in order that every Gentleman may reconsider the judgment which he has formed, that it is open to any Member of Parliament to vote for and against every measure that passes through the House at its alternate stages. This is the liberty, and no other, which you will have to vary the amount of the house tax, when the present Resolution is once passed. You have perfect liberty to do that. You may reduce the tax to 1*s.* on the bringing up of the Report; you may bring it down to 6*d.* at a further stage, and on the third reading of the Bill you may abolish it altogether; you may adopt that as you may any other perfectly inconsistent course upon any proceeding in which this House or this Committee is engaged. This is the precise amount of your licence, and I wish you now to recollect that you are not now engaged in the performance of a mere technical and formal duty. There is a meaning and sense in the rules of this House which require that the imposition of taxes shall be preceded by a Committee. The object of that Committee is not to obtain a formal sanction to a new tax, but to have a thorough sifting and searching discussion, and to give all the authority by the decision of that Committee which can possibly be given to a proposal for any new tax. And now we have heard the right hon. Gentleman speaking in language of the severest condemnation of those who have withdrawn their Budgets. His recollection goes back to Mr. Pitt; he is fresh in the dates of 1848. Does he recollect the events of this evening? Does he remember—his memory sometimes requires to be refreshed—does he remember that this evening we had it declared by the organ of the Government that the increase of the house tax was the principle of the vote, and that by that vote the Government would stand or fall? And then, by the mouth of the right hon. Gentleman the Home Secretary, he stated that he was perfectly willing to accede to an Amendment which, introducing into the Resolution the terms "not exceeding one shilling," would have divested it of the character of an increase, and have abandoned and given up the proposition upon which the Government had taken its stand. And one hon. and learned Gentleman who spoke to-night complimented myself and my Friends upon the great vigilance which we had exercised. If he had meant his words as a compliment, I should have valued them as well for the manner in which he spoke as for the high character of the speaker; but they were meant as a reproach, and all I have to say, with respect to that vigilance is this, that if it was great, I never knew an occasion upon which there was an equal demand for vigilance. I did not on all occasions approve of the financial policy of the right hon. Gentleman the Member for Halifax (Sir C. Wood). I opposed him, I remember on one occasion, in company with the present Chancellor of the Exchequer, and the occasion on which we opposed him was one not half so unexceptionable as the present. But the proposals of that right hon. Gentleman, whether they were advanced, or whether they were withdrawn, were advanced or withdrawn, as the case may be, in a manner the most frank, the most straightforward, the most free from all suspicion of evasion, and the least requiring vigilant inspection. Now, Sir, I reject the Resolution in your hands, whether considered as a vote on the house tax, or a vote on the Budget, I reject it as a Resolution on the house tax, being at the same time by no means prepared to concur with those Gentlemen who have expressed themselves in a manner unfriendly to the principle of an extended house tax. On the contrary, while sensible of the disadvantages of that peculiar form of taxation, yet I think if the difficulties were fairly met, that it might be placed on a widened area at a moderate rate, and that it might in that shape form a most convenient area of the financial system of the country. But there are many difficulties attending the house tax, which appear to me either to have been overlooked altogether, or, if considered, to have been decided wrongly in the proposition before the Committee. For example, whether the area should be widened beyond the limit of 10*l.* is a question upon which I must say the right hon. Gentleman has offered no justification for the proposal of the Government. The question whether it would be wise to graduate the rates of duty upon houses is one which does not seem even to have met the notice of the Government. Now, it should be recollected that in our previous house tax Act this law of graduation was expressly included, and I am not prepared to vote for the adoption of the proposal of the right hon. Gentleman, which disregards the principle upon which the former house tax was based, without at least hearing some reasons why we should abandon what appears to me, on the whole, to be a salutary arrangement of the graduation of the house tax. Again, Sir, there is a most important question with reference to the relative ratings of town and country, or rather of this metropolis and the provinces, in respect to the house tax. It is impossible to examine the terms of this house tax, and find that London and Middlesex pay very nearly one-half of the whole amount, without being convinced that the whole matter of the rating requires to be placed under some special supervision if you resort to the house tax as a great instrument in your financial system. Well, Sir, there is a gross flaw in the house tax which has been exposed by the right hon. Baronet the Member for Portsmouth (Sir F. Baring). Then how are you to justify the doubling of the rate of the house tax? I cannot justify a scheme so grossly unequal as that which taxes, it would seem, the mansion of Knowle on 50*l.* a year, while the shopkeeper in London is taxed on 250*l.* or 200*l.* Why have not these things been considered? After the deliberation of months, the right hon. Gentleman produces a plan which, I confess, it appears to me that he might have as well given to us the first hour after he took office as after the six months during which he has remained in office. There is another question—a most important question—namely, whether in regard to houses of low value the tax ought to be collected from the landlord or from the occupier—a question the solution of which may greatly facilitate the consideration of the whole matter. But the right hon. Gentleman has nothing to say on this point—it never crossed his mind, although he has spoken five hours on one night and three hours on another, and he found room to tell us that he was about to make a change in the Irish Office and in some other office; but he did not devote one moment to describe the reasons why he entirely passed by the consideration of this great question, the whole of which it is necessary to search and sift to the bottom before the right hon. Gentleman comes forward with a proposition for doubling the house tax. I tell the right hon. Gentleman plainly that I will not legislate upon the house tax, either for this Government or for any Government whatsoever, until I see that all those questions which are now opened up have at least been fairly considered, and that the decisions which have been arrived at upon them, whether they meet with my approval or not, are decisions conformable with the rational and deliberate convictions of the House of Commons. The right hon. Gentleman must excuse me if I now impeach his policy upon a ground somewhat more broad than even that of the house tax. I can hardly conceive a reason which would induce me to consent, not to a single proposition, but a financial scheme which introduces into the taxation of the country two, and only two, new taxes, and which is so adroitly contrived that both of these taxes, being both of them direct taxes, shall strike precisely the same class. I know not—it is impossible to know—whether that was the object of the right hon. Gentleman; but if it had been his object, I defy him to have hit upon a nicer and more accurate calculation. The man whose income is from 50*l.* to 150*l.* is also the man who lives in a house of from 10*l.* to 20*l.* rent. And now, Sir, the right hon. Gentleman has rallied my right hon. Friend the Member for Carlisle (Sir J. Graham) on the subject of the poor clerks. The right hon. Gentleman is fond of instances. I will try him upon instances; and, as I know he may not have any peculiar sympathy for the poor clerks, I will go to those classes for which we all know the warmth and redundancy of the sympathy of the right hon. Gentleman. I want to know how his financial scheme will bear upon the yeoman of this country in occupation of his own lands. That is a class that I know the right hon. Gentleman esteems. In the days when he was accustomed to make Motions in this House upon the subject of agricultural distress, he used carefully to inform you that it would be a gross mistake, if, in viewing the agricultural interest, you looked only to the great landlords; there was a very large class of men—amongst the most valuable in the community—the yeomen, the ancient proprietors of England, that truly English class, who seem even now to revive among you especially, and more than any other, the days and the institutions of your Anglo-Saxon forefathers. The right hon. Gentleman was earnest in their behalf. Now, how does he propose to use them? I take the case of an occupier of lands of his own to the value of 80*l.* a year—no uncommon case. This man, I will suppose, lives probably in a 12*l.* house. At present he pays no house tax and no income tax, and perhaps his lands are heavy wheat lands too. Well, he pays no house tax and no income tax. He hears that his friends have come into office. He has not a moment's hesitation—he has boundless confidence in the talents of the Chancellor of the Exchequer. Forgive me if I explain that I do not question the genius of the Chancellor of the Exchequer. I pay to him the sincere respect that genius deserves. I do not wish to go into any other—I will not mix any other consideration with the feeling which I express. Between the right hon. Gentleman and myself there never has been anything in the nature of a misunderstanding, as regards personal matters. His measures and his political conduct I freely canvass; but to his genius I pay as willing a testimony as can be rendered by his most ardent admirers. But now I am describing the feelings of this poor yeoman. It is just because of the reality of the right hon. Gentleman's talents that the more bitter will be the disappointment of my poor yeoman. He knows the abilities of the right hon. Gentleman. He knows more—he knows the high character as well as the distinguished station of the noble Earl at the head of the Government. He knows and thinks that, if his friends cannot do all that he expects, or that they wish to do for him, at least they will shield him from further injury. He has given up protection—he has given up compensation; but surely he is not to be wounded at their hands. But how is he treated? He is smitten by three taxes of which he has hitherto known nothing. Upon his 80*l.* rental of his lands he must pay 7*d.*; and this amounts to 2*l.* 6*s.* 8*d.* His profits bring him within the magic line of Schedule E, and this adds 11*s.* 8*d.* more to his burden; besides which he has to pay 18*s.* as his contribution to the house tax. Therefore, in consequence of the advent of the right hon. Gentleman to power, and of that brilliant and triumphant success which the right hon. Gentleman anticipates already for his Budget, this poor yeoman will have to pay three taxes of which he has hitherto known nothing—these three amounting to 5 per cent upon his gross income; and he is told that he may save a fiftieth part of the sum upon his tea and his beer. This is the result of the advent to power of the farmers' friends. Well, if he is a reflective man, and accustomed to contemplate the works of nature, and the revolutions of the seasons, he may draw comparisons in his own mind between the four familiar divisions of the year and the four visits of the taxgatherer, upon each of which he makes his demand. I take another instance, that of a class to whom the right hon. Chancellor of the Exchequer also shows tender and affectionate egard, and that class is the clergy. Sir, the right hon. Gentleman proposes to introduce on behalf of the clergy, and of the clergy alone, a special exemption on the income tax. He proposes to take them out of that class of life-renters—I mean those of them who have under 100*l.* a year—he takes them out of the class of life-renters to which they belong, and to grant them the benefit of a peculiar exemption. Well, I must confess, while there is no man more bound than I am to study the interests, the temporal interests, of the clergy in this House, I must confess that I am far from convinced of the wisdom of bestowing upon them an exceptional privilege. I do not wish to see the clergy held up as invested, not only with the public endowments that they enjoy, to the satisfaction as well as to the benefit, I believe, of the public, but with exceptional privileges that may attract odium and envy. But, Sir, the clergy have a real grievance at this moment. It is admitted by all authorities—Professor Jones, Mr. Cornewall Lewis, and every man who has examined the subject of local rating will tell you—that the clergy suffer cruelly by being rated for local taxation upon their gross incomes. Now, I would rather redress that grievance of the clergy than grant them a new and exceptional privilege. What is the feeling, I want to know, of the clergy of 120*l.* a year, under the circumstances of the accession of the right hon. Gentleman to power? I am supposing the case of the village clergyman, who will fall, therefore, under the sweep of the right hon. Gentleman's income tax. This clergyman has greater reason, if possible, than the yeoman, to build expectations upon the right hon. Gentleman's accession to office, because it is from local taxation that this clergyman suffers. It is from local taxation that the clergyman suffers, and who, I want to know, is the great doctor of all England on the subject of local taxation? That clergyman will have watched with the deepest interest the past career of the right hon. Gentleman the Chancellor of the Exchequer. He will have seen that he has argued the grievances of local taxation with the utmost power, with unrivalled assiduity, and with that peculiar pathos which always belongs to great earnestness. What will have been the clergyman's expectations on this occasion, and what will be his condition? Why, he will have read the speech of the right hon. Gentleman on the introduction of his Budget—he will have found that the right hon. Gentleman, with a gravity which cannot be too highly commended, stated in detail the case of the agriculturists under the head of local taxation, wrapped up all their claims in a bundle, and pitched them into the bottomless abyss of the future. Sir, we are sometimes told, and I agree with it, that there is much, not only in the doing of a thing, but in the manner in which it is done. Those who were present in this House will recollect the manner in which this was done. I myself have voted with the right hon. Gentleman on previous occasions for the relief of the farmer in respect of local taxation. I did it at much expense of feeling, and I have been often censured for that vote. I did it in no vain idea that the landlords of this country were entitled to compensation for the repeal of the corn laws. I did it, whether rightly or wrongly, simply upon this principle—that there was much of feeling mixed up with this question, and that the farmer of this country was passing through a crisis in which the holding out of a helping hand by Parliament would have given him in a moment of uncertainty and of danger the greatest encouragement to persevere in that struggle his success in which was essential to us all. I, therefore, had these feelings on the subject of local taxation; but I must say that if I had been the sternest and bitterest opponent of the granting of a single farthing of relief to the farmer, I would have been perfectly satisfied with the matter, and the manner when, in his speech on the Budget, the right hon. Gentleman disposed finally of the question of local taxation. Well, Sir, that is the case with the clergyman. His expectations, like the farmers, are smashed. He will have to pay income tax on his income of 120*l.* a year, and to pay on his house of 15*l.* rent towards the house tax; although at present he knows nothing of either the house tax or the income tax. If the right hon. Gentleman's Budget—I make the supposition—I think it is a strong one—if his Budget succeeds, this clergyman will pay 3*l.* 10*s.* 3*d.* in income tax, and 1*l.* 2*s.* 6*d.* house tax, making together 4*l.* 12*s.*, or nearly 4 per cent of his income. That will be the consequence of the right hon. Gentleman's accession to office. Well, my third reason (and it is the only other reason with which I will trouble the Committee) for opposing the reduplication of the house tax, is because it is connected with the repeal of the malt tax. Now, on the question of the repeal of the malt tax, I mean to give no opinion which would exclude, under favourable circumstances, its fair and favourable consideration. Although I grant you you ought not to regard the consumption of malt with precisely the same favour as you can look upon the consumption of tea or coffee, yet on the other hand I must recollect that while malt liquor is conterminous on the one side with tea and coffee, it is conterminous on the other side with the article of spirits, and is still the old beverage of the country; and if you could succeed in breaking down the monopoly of the brewer's trade, and also effect a modification of the licensing system, thereby giving freedom to the trade, and ensuring real relief to the consumer, and which, if it was found necessary, would still leave you a revenue from the article in its final manufactured state—if such a scheme as that could be devised, then I think that the repeal of the malt tax might fairly, under certain circumstances, come under the consideration of this House. But the scheme before us has no one of these recommendations. The hon. Baronet the Member for East Kent (Sir E. Dering) made a most admirable and candid speech on this subject. He said that the repeal of one-half the malt tax would do little or no good, but he accepted it as a stepping-stone; and if I may venture to interpret in words what he did not fully express, I understood him to mean that the repeal of half the malt tax would leave the remainder of it in a position so indefensible, would exhibit the tax as so unsatisfactory in itself, and would make the amount of evil entailed by the restriction so monstrous, as compared with the remainder, that it would be a powerful lever for effecting the abolition of the rest of the tax. That was the reason in my opinion which influenced the hon. Baronet. But that is not a reason which can or ought to influence the House of Commons. If we have got, which I shall show that we have not, 2,500,000*l.* of public income to dispose of, we must dispose of it in the best manner we can. It is not enough to say that you will do something by the change. You must look over the existing duties calmly and candidly, and consider by what relief or remission you can do the greatest good to the consumer, to trade, and to the revenue. By that rule and by that rule only, we can judge. And if a latent idea lurks in the minds of some that although the malt tax may not be a very good tax to propose for the public interest —may not be a very good proposition for the public interest, yet that there is a smack and a savour of compensation to the public interest about it—then I must say that, in the first place, I think it untrue in the point of fact; and that, in the second place, it is entirely at variance with the principle which the right hon. Gentleman the Chancellor of the Exchequer has himself laid down to-night, and on other nights, in the fairest and most explicit manner, that all remissions of taxation must be judged of as public benefits, and that if any benefit accrue to the grower or producer of any article, it must be merely that accidental benefit that mostly accrues to the producer of any article the tax upon which is reduced or repealed. The right hon. Gentleman has been facetious to-night on the argument that the reduction of the malt tax will not reach the consumer. He purported to aim these shafts exclusively at the Gentlemen opposed to him; but it did appear to me that there was a sidelong dart which found its way to the side of one of the most respectable Members of this House—the hon. Member for the North Riding of Yorkshire (Mr. Cayley). There is not a greater authority on the subject of the malt tax than that hon. Gentleman; and what estimate does he give us after having studied the question during the whole of his Parliamentary career? What does he say as to the amount of the benefit which is to reach the consumer from the repeal of one-half of the malt tax? He says that 5*d.* is the present price of a quart of beer; 2*d.* is the cost price of it, ¾*d.* is the duty; 2¼*d.* is, as he says, the effect in one way or another of the double monopoly of the brewers and of the malt tax. Half of three farthings, or three-eighths of a penny, is then the amount of the reduction on a quart of beer. That is, what is now 5*d.* will hereafter be 4⅝*d.* That is the reduction for which we are now called upon to surrender 2,500,000*l.* of public revenue. Taking the reduction as I have stated it, it would amount to 7½ per cent on the cost of the article: but even supposing there was a reduction of 10 per cent, I want to know how that is to tell on the recovery of the revenue. The right hon. Gentleman the Chancellor of the Exchequer has become a pupil of free trade, and is now going to legislate on the principles of free trade. One main consideration I must tell him in the reduction of a duty is the way in which it will stimulate the self-reproducing powers of the revenue. And I want to know how the 5,000,000*l.* that he now receives from malt are to be reproduced, or what portion of these 5,000,000*l.* we are to receive under the reduced duty. He explained to-night what I confess was to me before obscure. He tells us that for 1854-5 he has estimated his loss at 1,700,000*l.* upon peculiar grounds: 600,000*l.* he will then obtain, which will be a payment once for all, and which thereafter will not accrue. 200,000*l.* is the modest sum he estimates for the increased consumption—

The CHANCELLOR OF THE EXCHEQUER: 400,000*l.*

MR. GLADSTONE: If it is 400,000*l.*, I am afraid he is rather extravagant in that expectation. I will look back to past experience. You are now going to reduce the malt tax in a manner which will give a reduction of 7½ per cent, or we will say 10 per cent, on the price of the article; and the question is, what increase will that effect in the consumption? In 1830 my right hon. Friend near me effected a reduction more than twice as great by the repeal of the beer duty. By that repeal of the beer duty he took 20 per cent off the price of the article; and we now find that, after the lapse of twenty-two years, the aggregate increase up to this moment is only 25 per cent. Well, if 25 per cent increase in the consumption is produced in twenty-two years by a remission of duty amounting to 20 per cent on the price of the article, I want to know what is to be the amount of the reproduction of the revenue that he now proposes to sacrifice? Well, now, that is the most important light in which this question strikes me; but I must say that I consider his scheme an irrational one if considered with regard to producers, and to any relief that he may desire to give them. He has got a distressed class, for I will assume that they are distressed. There may, indeed, be some question about that; but there is a class that have been distressed and have suffered. These are the cultivators of the heavy wheat lands, and how does he propose to relieve them? By a boon to the cultivators of the light lands. But how is this boon to reach the cultivators of the heavy lands? Why, it is to be filtered through a fourfold or a fivefold strainer, and I will certainly give but little to the farmer of wheat lands for the advantage which will reach him. In the first place, it is to be filtered through the closely organised trade of the maltster, and secondly, through the still more closely organised trade of the brewers. It is then to be still further diminished by the effect of the system of licensing public-houses, and then any benefit of the reduction which may survive these three is to be encountered by foreign competition, and in comes the malt from Belgium and other places to meet the British grower of barley. But the right hon. Gentleman the Chancellor of the Exchequer has made another most important announcement to-night, that is, the withdrawal of the Excise credits.

The CHANCELLOR OF THE EXCHEQUER: Not the withdrawal.

MR. GLADSTONE: I confess I cannot exactly make out the measure the right hon. Gentleman proposes, but it is at any rate a reduction or diminution of those credits. He proposes to withdraw 600,000*l.*, which is practically an advance to the maltsters. How does that advance operate? That subject was explained by Sir Robert Peel in 1830, who then showed that the system of advancing capital to the maltster was to no small degree a compensation for any burden which the duty might entail upon the grower; for you actually put capital into the hands of the traders, by means of that arrangement, the plain effect of which —whether wise or not in another point of view I do not now inquire—is, that it facilitates the entrance of competitors into the malt trade, and by multiplying the number of purchasers of barley secures the farmer a better price. That 600,000*l.* is to be taken back, the number of maltsters will be proportionably narrowed, and the competition for the farmers' produce proportionably diminished, and the price consequently lowered. Besides the extreme partiality of the operation of this remission, I look upon it as one of the most inefficient measures that could be devised for the relief of those agriculturists who are alone in a position to urge that they have been distressed, I allude to the cultivators of heavy lands. I must observe that it is altogether, as it appears to me, a most delicate operation which the Chancellor of the Exchequer has undertaken. He is going to impose one tax in order to repeal another tax. Now that is a most uncommon proceeding on the part of a Chancellor of the Exchequer. It is an operation which may possibly be justified, but it is one that is sure to draw upon it the severest and most jealous scrutiny. How will this new tax be borne? The tax he has proposed will fall upon persons spread through all classes. It will be felt in every portion of the community; and how unpopular will that tax become if, being one that is unpopular in itself, and under any circumstances there is connected with it that idea that the right hon. Gentleman has an ulterior purpose—that he has lurking behind a purpose to turn that reduction of taxation which is shown to be so unproductive both to the consumer and to the revenue—to the compensation of the agriculturists. Well, a comparison has been made between the proceedings of the present Government and those of Sir Robert Peel, and we were told last night by the right hon. Secretary for the Colonies that the present Government were acting as nearly as possible upon the principles upon which Sir Robert Peel proceeded in the year 1842. Now the first difficulty which arose in my mind when I heard that declaration from a Minister of the Crown was this—Does it accord with the still more authentic declaration which has proceeded from the mouth of the Chancellor of the Exchequer, the financial organ of the Government? Has the Chancellor of the Exchequer ever mentioned the name of Sir Robert Peel as his leader and guide in the measures he now proposes? Has he ever referred to that great statesman in terms which can give the slightest reason for believing that he recognises any kindred between the measures of 1842 and those now before you? Certainly not. His announcement is flatly at variance with that of the Colonial Secretary. The right hon. Gentleman the Chancellor of the Exchequer said, if I understood him rightly, that he never promised a revision of taxation. What he promised was this—that he was going to administer the finances of the country upon new principles, that were to do everybody good — principles that had never been heard of before. He said, addressing his constituents, "Do not suppose that when the new Parliament assembles you will see marshalled before you the old parties that have governed the country; you will have new principles of action introduced, and new policies, founded on those principles, recommended to the House of Commons." Are these principles then new, or are they old, or both new and old? The right hon. Gentleman says they are new, the Home Secretary says they are old. I do not know whether there are any hon. Gentlemen in the House who can manage to hold with both. I cannot. I am, however, with the Chancellor of the Exchequer. I think both that the principles themselves are new, and that the mode of carrying them into execution is new. I may presume to have an opinion on the question of what were Sir Robert Peel's principles of commercial reform. Long associated with a recollection that will ever be dear to me, and sharing in the first struggles that he made for that great object, I must necessarily have had many opportunities of observing the workings of his mind upon the subject; and the whole House and the country have ample means of knowing by records of the time, if their memories do not enable them to know, what his principles were. The principles on which his commercial reforms rested were—first, to set free the raw materials of industry from duty. How has the right hon. Gentleman the Chancellor of the Exchequer acted on that principle? There is still one raw material, and a most elementary raw material, that Sir Robert Peel, though he had the wish, never had the power, and the late Government, though they also had the wish, never had the power, to entirely free from duty—I mean timber. The repeal of that duty would have operated most beneficially for the shipping interest. But I have heard an hon. Gentleman to-night say that because only 7*s*. 6*d*. a ton will be saved on one class of ships, and 2*s*. 6*d*. on another, the relief thus given would be insignificant in amount. Why, if the average reduction were only 5*s*. per ton, that would amount to 50*l*. or 100*l*. in the building of some classes of ships. But I wish to point out to the Committee that when the Chancellor of the Exchequer had a surplus of 1,500,000*l*., one principle of Sir Robert Peel would have led him to consider whether there was any raw material in the tariff not set free from fiscal burdens. He has, as he says, examined the tariff most carefully, but strange to say he has passed by the article ef timber. What was the next of Sir Robert Peel's principles? It was to remove or diminish duties, protective in their character, and especially those that fell upon articles of food. Are there no duties of that character still remaining in the tariff? Are there no duties on the importation of butter, or of cheese? But the right hon. Gentleman has passed them by, and I might mention many other instances. He has passed by every one of them—he leaves them as he found them, and that is, in his view, acting on the principles of unrestricted competition. He certainly does not re-enact protective duties, but he stops at the point where he finds the work of reform, and declines to carry it on. The third of Sir Robert Peel's principles was to clear from the tariff unprotective and unnecessary duties, whose collection absorbed the whole, or the greatest part, of the produce. The right hon. Gentleman has done nothing whatever in pursuance of this principle. The last principle of Sir Robert Peel was to reduce the price of highly-taxed articles of food. And, passing by every other point in the policy of Sir Robert Peel, on that and that alone has the Chancellor of the Exchequer chosen to bestow, not only his whole surplus, but a great deal more. Three of Sir Robert Peel's principles he has left entirely untouched, and the fourth he has exaggerated by the course I have described. Does he in that, or does he not, offend against another principle of Sir Robert Peel? Whatever Sir Robert Peel did with respect to commercial reform, he did it always subject to the paramount obligation, of which he was conscious, to maintain the principle that ample sums should be raised in the year for the service of the year, and for the maintenance of a steady surplus of revenue above expenditure. He never allowed even his eagerness for commercial reform to make him deviate for one moment from that fundamental and yet more important view. All his operations were conducted subject to the control of that principle. It is the principle, as I shall presently show, that the right hon. Gentleman the Chancellor of the Exchequer has disregarded and contemned. That is the case, as I conceive, of the commercial principles of Sir Robert Peel, and that is the relation of the Government to those commercial principles. But Sir Robert Peel, it is said, performed the operation which the right hon. Gentleman is now preparing. He imposed a tax—the income tax—to repeal customs duties, a case precisely parallel to the course pursued by the right hon. Gentleman. The right hon. Gentleman is going to impose new taxes upon the householder; he increases taxes that have been paid already, and imposes them upon large classes that have not yet paid them, in order to repeal a portion of the malt tax. That is, I should say, he is going to impose a tax on the general body of the community, to make a most ineffectual and worthless attempt at the relief, not of a class, but of a portion of a class. This is precisely an inversion of the policy of Sir Robert Peel, for he imposed a tax on a class to relieve the entire body of the people. It was to you [*turning to the Ministerial benches*] that he made his appeal. You—the party opposite—are the men he called upon, as the possessors of property, to you he made his special appeal to accept the income tax, in order that that relief might be given to the springs of industry, and to the great consuming classes of the country. You answered that appeal, and I hope you will now maintain the character you then gained by the support you gave Sir Robert Peel, in the struggle for that great benefit which you enabled him to confer on his country. I proceed to another question which must not be omitted, for it is of vital importance, and lies right at the root of the whole discussion before us—I mean the question of the income tax. My right hon. Friend the Secretary for the Colonies is very much mistaken if he thinks that in approaching that question, all he has to do is to set aside the particular objection that I have taken as regards the particular case of the fundholder, or to pass jokes at the expense of what he calls my ingenuity. The right hon. Gentleman and the Government may depend upon it that they have opened a question of a most formidable character; and in what position is it presented to us to-night? I really thought, until the distinction that was made to-night, that we had a definite and intelligible plan presented to us. There is nothing that can excuse the Government, or acquit them of the heaviest responsibility to the country, if they open a question like that of rearranging the different contributions of all classes in the country to the income tax, unless the production of a plan which shall be intelligible—which may be subjected to scrutiny—which may be tried on its merits—and which will meet the view of the public as a plan, and not merely as an abstraction. If, on the other hand, a Government — because they know that amongst a large class of the community there is great favour entertained for a particular mode or principle of taxation—depart from the sound rule that binds them to submit their propositions, and to be responsible not merely for the general ideas on which they are based, but for the means by which they will be carried into execution—if a Government thinks proper to appeal to favour for the support of their principle without confronting the difficulty of carrying it into effect, then I can only say that whatever others may do with regard to the financial policy of such a Government, I will be the firmest opponent of such a financial policy, because I know that such a course of pandering to the worst elements of popular feeling and the coarsest passions, must expose the country to the gravest dangers. We are told that it is necessary to moderate and check the progress of democracy; but there is no surer way of advancing the progress of democracy than by casting loose on the world attractive and seductive schemes with regard to financial arrangements, which those who propose them know cannot be carried into effect. I shall explain in a few words the view and policy with which the income tax was first propounded; and I may say, by way of preface, that the case of the fundholders is one of a score of cases with which hon. Gentlemen will have to deal; and I shall endeavour to show, when the proper time comes, that if you arrange the income tax in good faith as I understand it, that good faith will compel you to place the fundholder at the lowest rate. Has the right hon. Gentleman the Chancellor of the Exchequer submitted to us a plan for the reconstruction of the income tax, or has he not? I say that a man who promises to vary the different rates of the income tax in different schedules, without having formed his plan for doing so, is guilty of a high offence against the public. I say that, because it appears from what was said by the right hon. Gentleman to-night that the question is involved in almost hopeless obscurity. ["No, no!"] Hon. Gentlemen who did not hear the speech of the right hon. Gentleman the Member for Portsmouth (Sir F. Baring) may find it convenient to say "no;" but that right hon. Gentleman tested the plan of the right hon. Gentleman the Chancellor of the Exchequer, and he showed that the right hon. Gentleman, who says he will distinguish between realised and precarious incomes, has, according to his Resolution, proceeded upon no principle whatever; and if I understood the answer of the right hon. Gentleman, it was this, that not having had time to adjust the details of his plan, he had proposed the tax upon the basis of the old schedules without change; but if the right hon. Gentleman has had no time to think about details, how was it he came to introduce exemptions with respect to clergymen? Is not that a point of detail? In the first place, as to the suggestion so pleasantly put by the right hon. Gentleman that the Committee should affirm the Resolution, hon. Members should recollect that if we vote in Committee of Ways and Means that Resolution of his relating to the income tax, we shall be absolutely precluded by the forms and rules of the House from raising the full rate on certain income or property. Schedule D is now going to pay 5¼ per cent; and what is contained in Schedule D? The entire realised mercantile capital of the country—every farthing of it—is contained in Schedule D. The foreign fundholders in this country, unless they happen to have their dividends paid by an agent, are to be taxed *5¼d.*; but if the dividends are paid by an agent in this country, then they are to be taxed at *7d.* I may be met by being told that the Chancellor of the Exchequer has no idea of the amount of foreign funds and securities held in this country; but well-informed men in the City of London have told me that they do not amount to less than 80,000,000*l.* or 100,000,000*l.*; not so great, certainly, in amount as the mercantile capital—that may be calculated by hundreds of millions—another of the exceptions with which we shall have to deal. It appears that the great finance Minister who is going to revise your system of taxation, and introduce new plans that will benefit every one and injure no one—who is going, above all, to reconstruct your income tax—asks you to pass a vote to put *5¼d.* on Schedule D, which will prevent you from putting the full tax on all this realised income, which he says himself ought to pay the full tax. The view of the income tax as first proposed was one that did honour to the great statesman who conceived it. It was undoubtedly required in part to meet a deficit, but it had also this ulterior and principal purpose—to effect a great and needful commercial reform; to lighten the springs of industry; to give activity to trade, and to cheapen commodities of all descriptions. My belief is, that Sir Robert Peel viewed the income tax as a temporary measure—["Hear, hear!"]—by which I mean a measure that was to continue in force so long as the great reason that called it into existence was to continue in force. I mean a *bonâ fide* temporary measure, a temporary measure not limited absolutely to three or five years, but the number of years that would be required to effect completely a great system of commercial reform. That was the true basis of the income tax. The income tax is odious in the judgment of many Gentlemen in this House, and I do not think it is an unreasonable sentiment; it is open to argument, but I do not pretend to say it is an unreasonable opinion. It may be thought to bear hardly on various classes of persons—on annuitants, on persons receiving salaries, and, above all, on persons in professions; and, in a secondary degree, on persons exercising trades—but surely that which brought the bane brought also, in no small degree, the antidote. With a tax of 7*d*. on actual receipts, and as regarded land with a tax of 7*d*. on something more than actual receipts, commercial reforms were effected that made the receipts far larger than they ever had been before. And though persons receiving salaries, and engaged in professions, might at first sight undoubtedly object to paying the same rate as the possessors of property, I will ask, were not the articles which they consumed cut down in price, and did they not receive the benefit of that reduction? The right hon. Gentleman very properly said, in speaking of the clerk, that there is no one who received so much advantage from the imposition of the income tax and the commercial reforms as he has done, because he is a consumer and is not a producer of any saleable commodities; but does not the right hon. Gentleman see that that applies to the whole class of persons receiving salaries? But though I say this, I don't deny that the question of the reconstruction of the income tax is open. All I say to the right hon. Gentleman is this, "Let us have a plan." I consider that the House of Commons will forfeit and forget its duty if it deals with this matter in the abstract. Instead of commanding the respect of the country, and making a provision for its permanent interest, it will become a mere panderer to public opinion, and be driven hither and thither by the force of it. What is the use of a Minister of the Crown rising in his place, and saying the time is come when we must recognise a difference between temporary and precarious incomes, and when challenged upon the absurdities and anomalies, inconsistencies and self-contradictions, of his plan, by a Gentleman in this House, he says, "That is not my plan! I found it in the schedules as they stand; but they are all to be reconstructed." I must say one word on a small interlude that took place, in vindication of the right hon. Baronet the Member for Carlisle (Sir James Graham), whom the right hon. Gentleman said, he would not say he greatly respected, but rather whom he greatly regarded.

The CHANCELLOR OF THE EXCHEQUER said, that whatever might have escaped him in the haste of expression, he certainly had not intended to use the words in question in the sense in which they were applied by the right hon. Gentleman.

MR. GLADSTONE: If it were a mere hasty word, of course I should be the last person to take notice of it; but an allusion has been made by my right hon. Friend (Sir James Graham), in which I am part proprietor. I refer to the comparison which he drew between the position of a Bishop and a Judge. My right hon. Friend the Secretary for the Colonies denied the comparison, because he said a Judge could be removed from his office; and I now venture to say a Bishop may be deposed. If my right hon. Friend pursues the case a little further he will see that the two cases approximate as closely as possible. I refer him to an Act that passed in 1843, under which a Bishop who is incapable may have the spiritualities of his diocese transferred to another ecclesiastic. I have asked the Governor of the Bank of England, who agrees in principle with the Chancellor of the Exchequer, if he will accept his plan, and he said it was impossible; for what does the right hon. Gentleman do? The salient point of the whole case is on the public annuities, above all annuities for years expiring in 1860. They were in the one case always chosen by common consent, to make visible, as it was thought, the uncertainty and inequality of the present law. The right hon. Gentleman leaves this capital and crying grievance—so much a grievance, indeed, that it has always been made by common consent the standard-bearer to the rest, precisely where he found it. The annuitant is still included in Schedule C, and is still liable to 7*d*. in the pound on his interest and his capital. Now, the fact is, no two men have agreed upon a plan for getting rid of these difficulties. You appointed a Committee, which sat in 1851 and 1852, and examined witnesses. The Committee looked the question boldly in the face, and the consequence was they could not agree upon a plan. The hon. Member for Montrose (Mr. Hume) agreed upon a plan, but he agreed with whom? Why, he agreed with himself. My right hon. Friend the Member for South Wiltshire (Mr. S. Herbert) agreed upon a plan too, and he also agreed with himself. I did hope that at least some ten or twelve men in the Cabinet had agreed upon a concerted measure; but after what has passed this evening, I see that the Government, no more than anybody else, has got a plan. I have now endeavoured to deal manfully with this question. I say it behoved the Government to inquire into this subject, and see if they could not discover a plan which would be likely to satisfy the wishes of the community. I see at least no reason why they should announce that they intended to give effect to the principle before they had inquired whether effect could be given to it or not. It is bad enough when private Members of Parliament make flaunting promises to the community which they cannot perform; but it is far worse when a Government appointed to stop the progress of democracy, stoops to pursue a similar course, and endeavours to call upon a Conservative party to support them. Now I beg to touch on the last subject, I think, on which I shall trouble the Committee. I pass from the income tax with only this remark, which I commend to the serious consideration of hon. Gentlemen—namely, that while I blame the conduct of the Government, I can make no complaint I must say of the favourable reception which their proposition, if it may be so called, appears to have met with at the hands of the great bulk of their supporters. Those hon. Gentlemen especially represent the landed interest in this House. They already pay the full rate of income tax, and they are now ready to accede to the principle of the plan which will not only lead them to continue paying that full amount, but which will, through the operation of exemptions, throw on them a larger burden. But I wish to commend this point seriously to their consideration. The Chancellor of the Exchequer says it is time to recognise the distinction between permanent and precarious incomes. So far I am ready to follow him, saving always my right to support the case of the fundholder. I am ready to follow him into the examination of his plan. But the right hon. Gentleman, and those who support him, should consider that there is another kind of gradation of which little or nothing has yet been said. It is no doubt true, that the medical man with his 300*l.* a year is a poorer man, and a good deal more so, than he who has 300*l.* in the funds. But is there not the yeoman of 50*l.* a year, who cannot quite so well afford to pay 7*d.* in the pound, as the Duke of this or the Marquess of that, who, being like the yeoman in possession of landed property, differ from him in this, that while he possesses landed property of the value of 50*l.* a year, they possess landed property worth 50,000*l.* or 100,000*l.*? I hope hon. Gentlemen will well consider whether they are prepared not only to distinguish between the landowner and the professional man, but likewise to graduate between the holders of large and the holders of small properties. I come now to the question which is vital to the whole of this matter. Has the Chancellor of the Exchequer, I ask, included in his new scheme principles that involve the subversion of all those rules of prudence heretofore deemed necessary for the conduct of the financial affairs of this country? Has he, in other words, presented to the House a Budget without a surplus? I submit, without the slightest doubt, that he has presented a Budget without a surplus. [The CHANCELLOR of the EXCHEQUER: Yes, there is 400,000*l.*] Well, if you hold to that, I will tell you how that matter stands. The case is really this; the Exchequer Loan Fund Commissioners have had two systems of administration. In one of those systems, which to a certain extent depended on each other, there was a discretionary power given, and if the accounts be accurate, there has been a considerable profit from the operations which have been conducted in the exercise of that discretion. Whilst, however, the Commission in the free exercise of its right arm had been making money for the public, it had been spending money faster than it made it by the compulsory exercise of its left arm. The right hon. Gentleman has now for the first time in detail told us plainly that the 400,000*l.* which appear in the Ways and Means, and which constitute his sole surplus, are 400,000*l.*, not belonging to the services of the year, not drawn from the people by the service of the year, but repayments of money formerly obtained upon the credit of the country. The right hon. Baronet stated that the Government did not send its balances to the Bank because the Bank allowed no interest. The right hon. Gentleman can hardly have considered the elementary terms between the Government and the Bank. It was true in the letter, but not in the spirit, that the Bank gave interest for the balances of the Government. But what does it matter whether you receive interest on your balances, or the Bank engages to transact your business, and lend you money when required at small rates of interest? When the Bank Charter comes to be granted, the directors will cast up their average balances, and will be regulated by their amount, as to the terms which they will give you for its renewal. A worthy Alderman (Mr. Alderman Thompson) entered the other night into a defence of the Budget; but, Oh, what a smash, what a cruel wreck and ruin, has that right hon. Gentleman made of that defence this evening! The right hon. Gentleman has, for the first time, in unmistakeable terms, stated that his surplus consisted only of the repayment of money borrowed, or the creation of a debt; and the question the Committee has now to consider is, whether they will give their sanction to a financial scheme founded upon a surplus so obtained. The Chancellor of the Exchequer proposed to vamp up a surplus out of borrowed money, and with that fictitious surplus he hoped to obtain the sanction of the Committee. I fully agree with the right hon. Gentleman that the Committee in 1822 recommended that this fund should be devoted to "Ways and Means," in order to its being applied to the payment of the debt; but at that time there was a considerable surplus revenue. The same remark will apply to the recommendation of the Committee of 1828, also quoted by the right hon. Gentleman. I am well satisfied with one or two of the explanations offered by the Chancellor of the Exchequer. I was pleased with what he said with respect to the Kafir war, and I cannot bring myself to criticise his intelligence too harshly. Let us cherish the illusion, if it be one, till, at all events, it is displaced by intelligence not open to dispute. I thank him also for his explanation respecting the malt tax for the years 1854 and 1855, though I think he has not allowed sufficient for the drawback, or for that reduction in the quantity of malt consumed by the brewers previous to the drawback. I think, however, that according to the right hon. Gentleman's own showing, the loss in subsequent years upon the malt tax will be an enormous loss most slowly replaced. But I am not at all satisfied with his statement respecting the refining of sugar in bond. It will have the effect of increasing differential duties, and increasing the expense of collecting the revenue. In his statement with respect to the income tax there is a palpable hiatus in his figures, and upon adding them up the total falls short by nearly 140,000*l*. The right hon. Gentleman's surplus consists of the Exchequer Loan Fund; which is, in fact, a surplus of borrowed money, and it is clear, from the right hon. Gentleman's statement of the revenue, that there is an actual deficiency. These are not times when we ought to trifle with the revenue. No economy is so good as that of maintaining the finances in a high state of credit. The right hon. Gentleman has referred with triumph to the high price of the funds; but every one knows that the money market is, to a great extent, regulated by those who buy with the view of selling again immediately for profit, and not with a view to permanent investment. The Chancellor of the Exchequer has departed from the sound policy of supporting a surplus revenue, and no Minister will ever receive my support for his financial policy which proceeds upon such a system. It is a principle most dangerous, and most of all dangerous and inconsistent in a Conservative Government. The right hon. Gentleman spoke of terminating the war of classes. Why, Sir, he has done more than any other man to revive and renew that war; and if I saw the hon. Member for the West Riding (Mr. Cobden) in his place, who I know to be as strongly attached to the principle of establishing a difference in the income tax, I would make my appeal to him, and say, "That is your principle, and you are ready to adopt a reasonable plan for that purpose; but, I ask you, if you approve of a Government which, in submitting its plan, announces a popular principle, obtains a temporary harvest of popularity, and leaves the question of giving effect to its announcements to the chapter of accidents." I will ask hon. Gentlemen who are so squeamish on the subject of anxiety for popularity, if they heard the speech of the right hon. Chancellor of the Exchequer, in which he has laid out before the public the good deeds of the Government, as a shopman lays out his wares? Many similar deeds have been done by former Governments, but they were never paraded before the House and country as they have been by the Chancellor of the Exchequer to-night; as though they were the carrying out of one of the "new principles" upon which we are hereafter to be governed. I hope that this country, if it has not been governed by enchanters and magicians, has at any rate been governed by men of sense and honour in former years; and I venture to say that no man who has held high office has not over and over again effected operations when the occasion required, of equal or greater importance, without parading them to the House in a speech on the Budget. When I speak of the right hon. Gentleman renewing the war of classes, I do not mean that he is reviving it on the question of protection; but I found my statement on the fact of his having launched opinions with respect to the reconstruction of the income tax, not supported by any executory means. But the Chancellor of the Exchequer closed his speech by stating that he was opposed by a coalition. What is the meaning of these charges of combination and coalition? and where is the evidence by which they are supported? Is it because the right hon. Baronet the Member for Halifax (Sir C. Wood) opposes the Budget—and I likewise have the misfortune to do so—that there is therefore a factious combination between us? Does the evidence of factious combination depend upon concurrence in a vote? If so, why was not the complaint of combination raised about a fortnight ago, when we, from a sense of justice and duty, gave a vote not altogether inconvenient to the Government? And why is it, because we now conscientiously differ and dissent from the financial policy of the Government, that we are not to be free again to give an honest and independent vote? It seems to me that the right hon. Baronet the Secretary of State for the Colonies appears to think that they have a vested interest in the votes of hon. Members near me. I vote against the Budget of the Chancellor of the Exchequer, not only because I disapprove upon general grounds of the principles of that Budget, but emphatically and peculiarly because in my conscience—though it may be an erroneous belief—it is my firm conviction that the Budget is one, I will not say the most liberal, nor the most radical, but I will say the most subversive in its tendencies and ultimate effects which I have ever known submitted to this House. It is the most regardless of those general rules of prudence which it is absolutely necessary we should preserve, and which it is perfectly impossible that this House, as a popular assembly, should observe unless the Government sets us the example, and uses its influence to keep us in the right course. Sir, the House of Commons is a noble assembly, worthy of its historical and traditional associations; but it is too much to expect that we should teach the Executive its duty in elementary matters of administration and finance. If I vote against the Government, I vote in support of those Conservative principles, which I thank God are common in a great degree to all parties in the British House of Commons, but of which I thought it was the peculiar pride and glory of the Conservative party to be the champions and the leaders. Are you not the party of 1842? Are you not the party who, in times of difficulty, chose to cover a deficit, and to provide a large surplus? And are you the same party to be united now in a time of prosperity, to convert a large surplus into a deficiency? I appeal to you by what you then were. I appeal to you to act now as you did then. Us you have cast off. I do not blame you for that. I am, indeed, always disposed to view with regret the rupture of party ties—my disposition is rather to retain them. I confess that I look, if not with suspicion, at least with disapprobation, on any one who is disposed to treat party connections as matters of small importance. My opinion is that party ties closely appertain to those principles of confidence which we entertain for the House of Commons. But us you have cast off for inconsistency. Have we ever complained of that? Have we ever made it matter of charge against you? No, certainly not; you owe us no grudge on that account. But you must remember that you also have a character to maintain —that you also are on your trial—that you also are bound to look with suspicion on those principles of financial policy which depart from those rules that not only all statesmen, but the common sense of the country, agree to be essential to the prosperity of this nation. You are now asked to vote for a Budget which consecrates, as it were, the principle of a deficiency, and which endangers the public credit of the country, and which may peril our safety— if, indeed, the circumstances of the present day are circumstances of uneasiness; and if the Government have thought it right to call upon you for increased exertions in providing for the defences of the country, I say, then, that I vote against this Budget in concert—at least in company —with the right hon. Baronet the Member for Halifax, feeling that in giving that vote I do the work, so far as depends upon me, which you ought to join with me in doing. I do not express that sentiment in an offensive manner, but I say it because I feel deeply attached—having sat for so many years in this House, and having been connected during many of those years with public office, I feel profoundly attached— to the institutions of the country. I look back with regret upon the days when I sat nearer to many of my hon. Friends opposite than I now am, and I feel it my duty to use that freedom of speech which I am sure, as Englishmen, you will tolerate, when I tell you that if you give your assent and your high authority to this most unsound and destructive principle on which the financial scheme of the Government is based—you may refuse my appeal now—you may accompany the right hon. Gentleman the Chancellor of the Exchequer into the lobby; but my belief is that the day will come when you will look back upon this vote—as its consequences sooner or later unfold themselves—you will look back upon this vote with bitter, but with late and ineffectual regret.

The Committee *divided* :—Ayes 286; Noes 305: Majority 19.

List of the Ayes.

Acland, Sir T. D.
Adderley, C. B.
Annesley, Earl of
Arbuthnott, hon. Gen.
Archdall, Capt. M.
Arkwright, G.
Astell, J. H.
Bagge, W.
Bailey, Sir J.
Bailey, C.
Baillie, H. J.
Baird, J.
Ball, E.
Baldock, E. H.
Bankes, rt. hon. G.
Barrington, Visct.
Barrow, W. H.
Beckett, W.
Benbow, J.
Bentinck, Lord H.
Bentinck, G. P.
Beresford, rt. hon. W.
Berkeley, Sir G.
Bernard, Visct.
Blair, Col.
Blandford, Marq. of
Boldero, Col.
Booker, T. W.
Booth, Sir R. G.
Bramston, T. W.
Bremridge, R.
Brisco, M.
Brooke, Lord
Brooke, Sir A. B.
Bruce, C. L. C.
Buller, Sir J. Y.
Burghley, Lord
Burrell, Sir C. M.
Burroughes, H. N.
Butt, G. M.
Butt, I.
Cabbell, B. B.
Cairns, H. M.
Campbell, Sir A. I.
Carnac, Sir J. R.
Cayley, E. S.
Chandos, Marq. of
Chelsea, Visct.
Child, S.
Cholmondeley, Lord H.
Christopher, rt. hn. R. A.
Christy, S.
Clinton, Lord C. P.
Clive, hon. R. H.
Clive, R.
Cobbold, J. C.
Cocks, T. S.
Codrington, Sir W.
Coles, H. B.
Conolly, T.
Coote, Sir C. H.
Corry, rt. hon. H. L.
Cotton, hon. W. H. S.
Cubitt, Ald.
Davies, D. A. S.
Davison, R.
Deedes, W.
Dering, Sir E.
Disraeli, rt. hon. B.
Dod, J. W.
Dodd, G.
Drax, J. S. W. S. E.
Drummond, H.
Du Cane, C.
Duckworth, Sir J. T. B.
Duncombe, hon. A.
Duncombe, hon. O.
Duncombe, hon. W. E.
Dunne, Col.
Du Pre, C. G.
East, Sir J. B.
Egerton, Sir P.
Egerton, W. T.
Egerton, E. C.
Evelyn, W. J.
Farnham, E. B.
Farrer, J.
Fellowes, E.
Ferguson, Sir R.
Filmer, Sir E.
Fitzgerald, W. R. S.
Floyer, J.
Follett, B. S.
Forbes, W.
Forester, rt. hon. Col.
Forster, Sir G.
Franklyn, G. W.
Fraser, Sir W. A.
Freshfield, J. W.
Frewen, C. H.
Fuller, A. E.
Gallwey, Sir W. P.
Galway, Visct.
Gaskell, J. M.
George, J.
Gilpin, Col.
Gipps, H. P.
Gladstone, Capt.
Goddard, A. L.
Goold, W.
Gordon, Adm.
Gore, W. O.
Graham, Lord M. W.
Granby, Marq. of
Greaves, E.
Greenall, G.
Grogan, E.
Guernsey, Lord
Hale, R. B.
Halford, Sir H.
Hall, Col.
Halsey, T. P.
Hamilton, Lord C.
Hamilton, G. A.
Hamilton, J. H.
Hanbury, hon. C. S. B.
Harcourt, Col.
Hardinge, hon. C. S.
Hayes, Sir E.
Heard, J. I.
Heneage, G. H. W.
Henley, rt. hon. J. W.
Herbert, Sir T.
Herries, rt. hon. J. C.
Hildyard, R. C.
Hill, Lord A. E.
Hope, Sir J.
Horsfall, T. B.
Hotham, Lord
Hudson, G.
Hughes, W. B.
Hume, W. F.
Inglis, Sir R. H.
Irton, S.
Jocelyn, Visct.
Johnstone, hon. H. B.
Jolliffe, Sir W. G. H.
Jones, Capt.
Jones, D.
Kelly, Sir F.
Kendall, N.
Ker, D. S.
Kerrison, E. C.
King, J. K.
Knatchbull, W. F.
Knight, F. W.
Knightley, R.
Knox, Col.
Knox, hon. W. S.
Lacon, Sir E.
Laffan, R. M.
Langton, W. G.
Lascelles, hon. E.
Lennox, Lord A. F.
Lennox, Lord H. G.
Leslie, C. P.
Lewisham, Visct.
Lindsay, hon. Col.
Lockhart, W.
Lopes, Sir R.
Lovaine, Lord
Lowther, hon. Col.
Lowther, Capt.
Lygon, hon. Gen.
Lytton, Sir G. E. L. B.
Macartney, G.
Macaulay, K.
M'Gregor, J.
Maddock, Sir T. H.
Malins, R.
Mandeville, Visct.
Manners, Lord G.
Manners, Lord J.
March, Earl of
Mare, C. J.
Masterman, J.
Maunsell, T. P.
Maxwell, hon. J. P.
Meux, Sir H.
Michell, W.
Miles, W.
Miller, T. J.
Mills, A.
Montgomery, H. L.
Moore, R. S.
Morgan, O.
Morgan, C. R.
Mullings, J. R.
Mundy, W.
Murrough, J. P.
Naas, Lord
Napier, rt. hon. J.
Neeld, J.
Neeld, J.
Newark, Visct.
Newdegate, C. N.
Newport, Visct.
Noel, hon. G. J.
North, Col.
Oakes, J. H. P.
Ossulston, Lord
Owen, Sir J.
Packe, C. W.
Pakenham, Capt.
Pakington, rt. hn. Sir J.
Palmer, R.
Parker, R. T.
Peacocke, G. M. W.
Percy, hon. J. W.
Phillips, J. H.
Pigot, Sir R.
Portal, M.
Powlett, Lord W.
Prime, R.
Pugh, D.
Repton, G. W. J.
Robertson, P. F.
Rolt, P.
Rushout, Capt.
Russell, F. W.
Sandars, G.
Scott, hon. F.
Seaham, Visct.
Seymer, H. K.
Sibthorp, Col.
Smijth, Sir W.
Smith, Sir F.
Smith, W. M.
Smyth, R. J.
Smollett, A.
Somerset, Capt.
Sotheron, T. H. S.
Spooner, R.
Stafford, A.

Stanhope, J. B.
Stanley, Lord
Stephenson, R.
Stirling, W.
Sturt, H. G.
Talbot, C. R. M.
Taylor, Col.
Taylor, H.
Thesiger, Sir F.
Thompson, Ald.
Tollemache, J.
Trollope, rt. hon. Sir J.
Tudway, R. C.
Turner, C.
Tyler, Sir G.
Tyrell, Sir J. T.
Vance, J.
Vane, Lord A.
Vansittart, G. H.
Verner, Sir W.
Villiers, hon. F.
Vivian, J. E.
Vyse, R. H. R. H.
Waddington, D.
Walcott, Adm.
Walpole, rt. hon. S. H.
Walsh, Sir J. B.
Welby, Sir G. E.
Wellesley, Lord C.
Whiteside, J.
Whitmore, H.
Wigram, L. T.
Williams, T. P.
Willoughby, Sir H.
Wodehouse, E.
Worcester, Marq. of
Wyndham, Gen.
Wyndham, W.
Wynn, H. W. W.
Wynn, Sir W. W.
Wynne, W. W. E.
Yorke, hon. E. T.

TELLERS.

Bateson, T.
Mackenzie, W. F.

List of the NOES.

A'Court, C. H. W.
Alcock, T.
Anderson, Sir J.
Anson, hon. Gen.
Armstrong, R. B.
Atherton, W.
Baines, rt. hon. M. T.
Ball, J.
Baring, H. B.
Baring, rt. hon. Sir F. T.
Barnes, T.
Bass, M. T.
Beaumont, W. B.
Bell, J.
Bellew, Capt.
Berkeley, Adm.
Berkeley, hon. H. F.
Berkeley, hon. C. F.
Bethell, R.
Biddulph, R. M.
Biggs, W.
Blackett, J. F. B.
Bonham-Carter, J.
Bouverie, hon. E. P.
Bowyer, G.
Boyle, hon. Col.
Brady, J.
Brand, hon. H. B. W.
Bright, J.
Brocklehurst, J.
Brockman, E. D.
Brotherton, J.
Brown, H.
Brown, W.
Browne, V.
Bruce, Lord E.
Bruce, H. A.
Butler, C. S.
Byng, hon. G. H. C.
Carter, S.
Caulfield, Col. J. M.
Cavendish, hon. C. C.
Cavendish, hon. G.
Challis, Ald.
Chambers, M.
Chambers, T.
Chaplin, W. J.
Charteris, hon. F.
Cheetham, J.
Clay, J.
Clay, Sir W.
Clifford, H. M.
Clinton, Lord R.
Cobbett, J. M.
Cobden, R.
Cockburn, Sir A. J. E.
Coffin, W.
Collier, R. P.
Cowan, C.
Cowper, hon. W. F.
Craufurd, E. H. J.
Crook, J.
Crossley, F.
Crowder, R. B.
Currie, R.
Dashwood, Sir G. H.
Davie, Sir H. R. F.
Denison, E.
Denison, J. E.
Devereux, J. T.
Divett, E.
Drumlanrig, Visct.
Duff, G. S.
Duff, J.
Duffy, C. G.
Duke, Sir J.
Duncan, G.
Duncombe, T.
Dundas, F.
Dunlop, A. M.
Dunne, M.
Eccles, W.
Ellice, rt hon. E.
Ellice, E.
Elliot, hon. J. E.
Esmonde, J.
Euston, Earl of
Evans, Sir De L.
Evans, W.
Ewart, W.
Fagan, W.
Ferguson, Col.
Ferguson, J.
Fitzgerald, J. D.
Fitzgerald, Sir J. F.
Fitzroy, hon. H.
Fitzwilliam, hon. G. W.
Foley, J. H. H.
Forster, M.
Forster, C.
Fortescue, C.
Fox, R. M.
Fox, W. J.
Freestun, Col.
French, F.
Gardner, R.
Geach, C.
Gibson, rt. hon. T. M.
Gladstone, rt. hon. W.
Glyn, G. C.
Goderich, Visct.
Goodman, Sir G.
Goulburn, rt. hon. H.
Gower, hon. F. L.
Grace, O. D. J.
Graham, rt. hon. Sir J.
Greene, J.
Gregson, S.
Greville, Col. F.
Grosvenor, Lord R.
Hadfield, G.
Hall, Sir B.
Hanmer, Sir J.
Harcourt, G. G.
Hastie, A.
Hastie, A.
Headlam, T. E.
Henchy, D. O.
Heneage, G. F.
Herbert, H. A.
Herbert, rt. hon. S.
Hervey, Lord A.
Heywood, J.
Higgins, G. G. O.
Hogg, Sir J. W.
Howard, hon. C. W. G.
Howard, hon. E. G. G.
Hume, J.
Hutchins, E. J.
Hutt, W.
Ingham, R.
Jackson, W.
Jermyn, Earl
Johnstone, J.
Johnstone, Sir J.
Keating, R.
Keating, H. S.
Kennedy, T.
Keogh, W.
Kershaw, J.
King, hon. P. J. L.
Kingscote, R. N. F.
Kinnaird, hon. A. F.
Kirk, W.
Labouchere, rt. hon. H.
Laing, S.
Langston, J. H.
Langton, H. G.
Laslett, W.
Lawless, hon. C.
Lawley, hon. F. C.
Layard, A. H.
Legh, G. C.
Lemon, Sir C.
Lewis, rt. hon. Sir T. F.
Locke, J.
Lockhart, A. E.
Loveden, P.
Lowe, R.
Lucas, F.
Luce, T.
Macaulay, rt. hon. T. B.
Mackie, J.
Mackinnon, W. A.
M'Cann, J.
MacGregor, J.
M'Mahon, P.
McTaggart, Sir J.
Magan, W. H.
Maguire, J. F.
Mangles, R. D.
Marshall, W.
Martin, J.
Massey, W. N.
Matheson, A.
Matheson, Sir J.
Maule, hon. Col.
Meagher, T.
Miall, E.
Milligan, R.
Mills, T.
Milner, W. M. E.
Milnes, R. M.
Milton, Visct.
Mitchell, T. A.
Moffatt, G.
Molesworth, Sir W.
Monck, Visct.
Monsell, W.
Moore, G. H.
Mostyn, hon. E. M. L.
Mulgrave, Earl of
Muntz, G. F.
Mure, Col.
Murphy, F. S.
Norreys, Lord
Norreys, Sir D. J.
O'Brien, C.
O'Brien, P.
O'Brien, Sir T.
O'Connell, M.
O'Flaherty, A.
Oliveira, B.
Osborne, R.
Otway, A. J.
Paget, Lord A.
Paget, Lord G.
Pechell, Sir G. B.
Peel, F.
Peel, Col.
Pellatt, A.
Phillimore, J. G.
Phinn, T.
Pigott, F.
Pilkington, J.
Pinney, W.
Pollard-Urquhart, U. W.
Portman, hon. W. H. B.
Potter, R.
Power, N.
Price, Sir R.
Price, W. P.
Ricardo, O.
Rich, H.
Robartes, T. J. A.
Roche, E. B.
Rumbold, C. E.
Russell, Lord J.
Russell, F. C. H.
Sadleir, J.
Sadleir, J.
Sawle, C. B. G.

Scholefield, W.
Scobell, Capt.
Scrope, G. P.
Scully, F.
Scully, V.
Seymour, Lord
Seymour, H. D.
Seymour, W. D.
Shafto, R. D.
Shee, W.
Shelburne, Earl of
Shelley, Sir J. V.
Sheridan, R. B.
Smith, J. A.
Smith, J. B.
Smith, M. T.
Smith, rt. hon. R. V.
Stafford, Marq. of
Stanley, hon. W. O.
Stansfield, W. R. C.
Stapleton, J.
Strickland, Sir G.
Strutt, rt. hon. E.
Stuart, Lord D.
Sullivan, M.
Sutton, J. H. M.
Swift, R.
Thicknesse, R. A.
Thomson, G.
Thornely, T.
Tomline, G.
Towneley, C.
Traill, G.
Tufnell, rt. hon. H.
Tynte, Col. C. J. K.
Vane, Lord H.
Vernon, G. E. H.
Villiers, hon. C. P.
Vivian, J. H.
Vivian, H. H.
Vyvyan, Sir R. R.
Wall, C. B.
Walmsley, Sir J.
Walter, J.
Warner, E.
Wells, W.
Whalley, G. H.
Whatman, J.
Whitbread, S.
Wickham, H. W.
Wilkinson, W. A.
Willcox, B. M.
Williams, W.
Wilson, J.
Wilson, M.
Winnington, Sir T. E.
Wise, J. A.
Wood, rt. hon. Sir C.
Wood, Sir W. P.
Wortley, rt. hon. J. S.
Wrightson, W. B.
Wyvill, M.
Young, Sir J.

TELLERS.

Hayter, W. G.
Berkeley, C. L. G.

The CHANCELLOR of the EXCHEQUER: With regard to the vote just come to by the Committee, it will perhaps be more convenient for the transaction of public business that the House at its rising should adjourn to Monday. I shall therefore at present move that you report progress and ask leave to sit again.

House resumed; Committee report progress.

House adjourned at a quarter before Four o'clock in the morning, till Monday next.

HOUSE OF LORDS,

Friday, December 17, 1852.

Minutes.] *Took the Oaths.*—The Lord Carrington.
Public Bill.—1ª Stamp Duties on Patents for Inventions.

THE MINISTRY.

The **Earl of MALMESBURY**: My Lords, in consequence of what took place in the House of Commons last night, with respect to the Resolutions moved by the Chancellor of the Exchequer, and in consequence of the unavoidable absence of the Prime Minister, who has gone to see Her Majesty at Osborne, I shall move that this House adjourn until Monday next.

House adjourned to Monday next.

HOUSE OF LORDS,

Monday, December 20, 1852.

Minutes.] Public Bill.—2ª Stamp Duties on Patents for Inventions.

MINISTERIAL EXPLANATION.

The **Earl of DERBY**, having laid some papers on the table, said: My Lords, it is consistent with the usual practice, and I think conducive to the public advantage, that a Minister, in announcing to your Lordships' House the dissolution of the Government over which he has been called on to preside, should enter into some explanation of the causes which have led to an event which cannot but be productive, in every case, of more or less of disturbance to public affairs. My Lords, the responsibility of lightly abandoning office is, in my judgment, not less than that of lightly accepting it; and it is right that your Lordships, that the other House of Parliament, and that the country at large, should be satisfied that those who were charged with the important duties of official responsibility should not throw up the discharge of those duties on light and trivial grounds—on minor differences of opinion among the members of the Administration, and, least of all, on grounds that partake of private pique or personal feeling. On the present occasion I believe it will be unnecessary for me to trespass upon your Lordships' attention for any length of time, because the causes which have led to the dissolution of the present Government lie upon the surface, and are patent to all mankind. It is unnecessary for me, my Lords, on the present occasion to advert to the circumstances under which the Government advised the dissolution of the last Parliament, or to the declarations we made previous to that dissolution, regarding the policy and the principles which it was about to pursue. A careful examination of the returns made by the different constituencies, and of the policy professed by the candidates at their several elections, rendered the position of the Government, and of the other parties in the State, a matter of no uncertainty, and of easy calculation. It was clear that there were of the supporters of the Government, on questions not involving the questions of free trade or a protective policy, but of parties who were generally disposed to give their confidence to Her Majesty's Ministers, 310 Gentlemen. There were three other parties—if, indeed, there were not more—the first including in it all the various gradations of opinion, from the high aristocratic and exclusive Whig, down to the wildest theorist and the most extreme Radical, those parties, in all their ramifications, comprising somewhere about 260 Members. The third party consisted of Gentlemen from the sister kingdom, principally representing the views of the Irish Roman Catholic clergy, and holding the extreme doctrines of the Ultramontane school—all of them pledged by their declarations to use their utmost endeavours for the overthrow of the present or any other Government which is not prepared to act upon their extreme opinions. Further, there was a fourth party, numerically small, comprehending from thirty to thirty-five Members, Gentlemen of great personal worth, of great eminence and respectability, possessing considerable official experience and a large amount of talent—Gentlemen who once professed, and I believe do still profess, Conservative opinions. Those Gentlemen possess talents which would reflect credit on any Administration, but their numbers, as I stated, are comparatively small. In this state of things it was obvious that Her Majesty's present Government, though they had by far the largest party, and were nearly a moiety of the whole House of Commons, yet they did not possess the support of an absolute majority in that House, and that consequently, if occasion should be taken, if it should be the will of all the three other parties to whom I have referred to combine in carrying out a movement for the overthrow of the Government—those three parties so combining — whatever power they might possess for the formation of another Government — had full power to destroy and overthrow that which existed. We were not long to be left in doubt as to whether the will existed on the part of those to whom I have alluded, to overthrow the Government. Before we had an opportunity of bringing forward any specific measures, notice was given of a Motion by a Gentleman holding extreme opinions—a Gentleman of whom I desire to speak with all respect, because he has throughout consistently maintained and steadily supported the same opinions when they were unpopular which he did when subsequently ratified by public opinion, so that he at all events has a perfect right to plume himself on the consistency of his opinions—and to the hands of no man could a declaration of free-trade policy be more fitly consigned. But the hon. Gentleman, as I have said, holds extreme opinions; and in order that the Government might be placed in a minority on that question, before we had any opportunity of bringing forward our measures, it was necessary that a concert should take place among all the parties to whom I have referred, because, without such concert, the Government would still be in a majority. My Lords, we are speaking here of no doubtful question. We have had some curious revelations made to us by a right hon. Baronet a Member of the other House, who has lifted the curtain, admitted us behind the scenes, shown us the actors preparing for their parts, and discussing the most convenient phrases to be adopted in order to obtain that universal concurrence which was necessary to accomplish their object, and studiously concerting their measures, so as to place the Government in a minority. An incident, my Lords, of almost a dramatic character, interfered with the full execution of that well-considered and well-concerted plan; for when these concerted measures appeared ready for execution, an Amendment was moved in another and an unexpected quarter, which placed the matter on a different footing, and prevented that union of Whigs, Conservatives, and Radicals, which was necessary for the Government to be placed in a minority. My Lords, the Government escaped defeat on this occasion by the falling asunder of the different materials of which that discordant combination was composed. We then proceeded to bring forward and to submit to Parliament the financial policy on which we proposed to conduct the business of the country; and after a lengthened debate in the House of Commons, by the union again of all the three parties, the Government were defeated in a House almost unprecedentedly full —a House, I believe, in which there were not more than six-and-twenty Members in the whole House, who, in one way or the other, did not record their opinions. In that House so constituted, the Government were subjected to a defeat by a minority of nineteen. If we had been defeated on some minor and incidental point — if it were on some detail of a measure, the general principle of which was assented to by Parliament—greatly as I should feel the position of the Government weakened by being subjected to a defeat even on a minor matter—greatly as preceding Governments have been weakened of late years by submitting to repeated defeats and repeated reversals of their policy—inconvenient as I should have considered such a state of things to be—still I do not consider I should have been justified by a defeat on a minor question in abandoning the duties confided to me by Her Majesty. But, my Lords, this defeat was on no minor question—it was on the basis of our whole financial policy—let me rather say it was ostensibly on the basis of the financial policy which was to be established in the country; but in reality and in truth it was, and it was known to be—it was avowed to be—a vote that was to determine the confidence or the want of confidence of the House of Commons in the present Government. I need not stop to prove that such was the issue really intended by the vote of the other House of Parliament—such was the issue laid before the country; and on such an issue Her Majesty's Government having sustained an unequivocal defeat, I felt, and my Colleagues felt with me, that no option remained for us but to tender to Her Majesty the resignation of those offices with which She had entrusted us, but which we were no longer able to perform with satisfaction to ourselves, or with the ability to carry out our own views and objects. On the morning after we had sustained that defeat—my Lords, I speak only of the facts of the case, I am not about to argue upon them; something I perhaps might have said with regard to the character of the combination, and the *animus* displayed in this settled purpose to overthrow the Government; but I wish to abstain from all expressions, the use of which can by possibility give rise to controversy or angry feeling—having had a distinct declaration of want of confidence on the part of the House of Commons, and having ascertained that my Colleagues unanimously concurred with me as to the only course we ought to pursue, I proceeded to wait upon Her Majesty, and to tender to Her, in my own name and that of my Colleagues, the humble resignation of our offices. Her Majesty was pleased to accept our resignation, and signified Her pleasure, which was acted upon in the course of the same day, to send for and take the advice of two noblemen, Members of your Lordships' House—both of them of great experience and considerable ability—of long practice in public life, and one of them—I speak without the slightest disrespect of the other—peculiarly distinguished, not only by long experience, but by his well-known moderation and temper, by the spirit of mingled firmness and courtesy with which he has on all occasions discharged his duties here, and which is admirably calculated to conciliate friends and to disarm opposition. The noble Marquess to whom I allude was prevented by illness from attending the summons of Her Majesty; and on the following day, in answer to a further summons from Her Majesty, the Earl of Aberdeen—the other nobleman to whom I refer—waited upon Her Majesty and received Her Majesty's commands—which he signified his readiness to obey—to undertake the formation of a new Administration. My Lords, on what principle that Administration is to be formed, how that Administration is to be composed—of what its materials, and of what views and principles, I know nothing. We shall, I presume, before long, receive from the noble Earl himself a full declaration of his intentions and views on these subjects. I remember, and probably your Lordships remember also, that on more than one occasion the noble Earl has declared in this House that—the question of free trade excepted—he knew none on which there was any difference of opinion between himself and Her Majesty's present Government. I presume, then, that it is the intention of the noble Earl—and I shall believe it until I hear it contradicted by himself—to carry on the Government, if he is enabled to form one, upon strictly Conservative principles, and in a Conservative spirit. My Lords, how those principles are to be carried out at present, with such associates and with such support as I apprehend the noble Earl must avail himself of, I confess I entertain some little doubt and anxiety. But of this I shall say nothing—I shall abstain from a single expression which can have the effect of prejudging the course to be pursued by the noble Earl. This I may say in his absence, as I would say in his presence, that I am confident he relies, and he may justly rely, on having more forbearance shown him by the great Conservative party with which I have the honour to act, than that Conservative party has experienced at the hands of others. I venture to promise that if the Government about to be formed be conducted upon Conservative principles, and with a view to resist the onward progress of democratic power in the constitution—in that event, the noble Earl may rely on having, if not the cordial, at all events the sincere and conscientious support of the great Conservative party in this country. He will find, if the past cannot be altogether forgotten, that at least personal feeling shall exercise no influence on our conduct; and he will find that he will be encountered on the part of myself and my friends by no factious opposition, and that he will be met by no unprincipled combination. My Lords, for my own part, I need hardly say that personally to myself the surrender of office is no sacrifice, and costs no pain in personal feeling. It would, indeed, be a deep mortification to me if in resigning the trust reposed in my hands by my Sovereign, I left the country in a less advantageous position than I found it; but I rejoice to think that, short as has been the period during which I and my Colleagues have held office, that period has not been without some advantage to the country—that period has not elapsed without some beneficial measures having been carried; and that we shall leave the country in a condition of as great peace and tranquillity as we found it. My Lords, I have no hesitation in saying that, in regard to the foreign relations of the country, we leave it in a more advantageous state—that our foreign relations are in a more friendly and in a more satisfactory position—than when my noble Friend the Foreign Secretary received charge of that department; and I rejoice to have this opportunity of bearing my testimony to one than whom no one has been more unsparingly, and, I venture to say, more unjustly maligned than my noble Friend. From first to last I have had no cause for anything but self-gratulation in having obtained in the Foreign Department the services of one who, without previous political experience, has brought to bear an ability, a diligence, and a good judgment on the affairs of his department, which reflect the highest credit upon him, and which I venture to say, without fear of contradiction, has extorted the applause and admiration of old and experienced diplomatists, against whose views he has on more than one occasion had to combat, and successfully to combat. If we look to the department of law, we shall find that greater improvements and reforms have taken place in that department during the last twelve months than have taken place for many years previous—reforms of a magnitude and importance which have gained the acknowledgments both of the Members of this House and of the country at large. For these reforms we are indebted to the zeal and assiduity, and distinguished talent and thorough professional knowledge of my noble and learned Friend who sits on the woolsack, and for whom, when he quits it, it will be difficult, indeed, for any Government to find a successor who will not give the country cause to regret the change. I take no credit to the present Government for the state of our finances; but I think I may take credit for our having done this—for having for the first time broken the apathy, the dangerous apathy, which for so many years has existed, to the injury of the public service, in regard to the internal defences of this country. And if we leave the affairs of this country in such a state that there is no fear of hostility from abroad—in a state of friendly relations with all the great Powers—we leave it also in a condition of self-defence which is partially effected, and towards the full completion of which we have laid a ground which I trust will not be abandoned by those who may succeed us—who, I trust, will not be neglectful of those great elements of self-defence which we have called into operation—the old and constitutional force of the militia, and the increase of that naval force on which primarily, and in the first instance, the safety and honour of the country depend. My Lords, we leave the Administration with the country in a state, I hope, of tranquillity, of contentment, and of prosperity; at peace with all foreign Powers—with increased, if not with fully accomplished, means of self-defence and self-dependence. Under these circumstances, it is no personal sacrifice to us to surrender the reins of office. I rejoice to see that those who may succeed us, apart from those personal difficulties which I cannot but think they have created for themselves, have a comparatively easy task before them. I trust that they will go on in a course of social improvement, and that they will place this country on that footing on which it ought to stand. I trust that, with regard to those great measures and objects to which I have alluded, they will complete the course which we have successfully commenced; and I hope that this great country will still continue to enjoy security at home, with tranquillity and contentment, peace abroad, and an increasing prosperity among all classes of the people, by whosesoever hands it may be the will of the Sovereign that the affairs of this great country shall be administered. My Lords, I have only further to state—though it it is hardly necessary for me to do so after what I have said—that I and my Colleagues hold our offices only until our successors shall have been appointed, and until the noble Earl to whom the task has been entrusted shall be enabled to present for Her Majesty's approbation, and to introduce to this and the other House of Parliament a Government with which he may, in his judgment, feel himself capable of conducting the affairs of this country. Under these circumstances, my Lords, I received from the noble Earl this morning, a communication which I must confess did a little surprise me; because I certainly did anticipate, after what has taken place—after the conferences which have been held between various parties, and the decided steps which have been adopted to put Her Majesty's Government at the earliest possible opportunity in a minority—I anticipated that not four-and-twenty, certainly not eight-and-forty, hours would elapse before the noble Earl would be in a position to submit a programme of his future Administration to Her Majesty. Nevertheless, I received a communication from the noble Earl in the course of the day, requesting me to move the adjournment of the House to this day week. I informed the noble Earl in reply, that I would consult his wishes, and move the adjournment of the House; but that, looking to the period of the year, and to the inconvenience that would be experienced by many of your Lordships by being detained in town over Christmas-day—though, of course, all other considerations must yield to that paramount one of providing duly for the public service—I would, subject of course to his approval, move the adjournment of the House till Thursday, hoping that by that time the noble Earl would have made such progress in his arrangements as to be able to take upon himself the responsibility of the public service; but I added that if he had not made the requisite progress in his arrangements by Thursday, I would then move—and I am sure your Lordships will concur in the noble Earl's desire—that this House should be adjourned from Thursday to Monday next. My Lords, I have to thank you for the patience with which you have listened to me, and I now move that this House at its rising do adjourn till Thursday next.

The DUKE of NEWCASTLE: My Lords, the noble Earl in the course of his observations said he was anxious to avoid everything that could give rise to controversy, or that was likely to create a hostile feeling. I regret that through a very considerable portion of his speech the noble Earl did not adhere to that determination. I certainly, my Lords, do not feel less anxious than the noble Earl to avoid everything that can promote controversy and to abstain from everything that can excite angry feeling; and, therefore, I shall avoid entering upon any of the topics except one to which the noble Earl has referred. I shall not stop to consider how far the course which the noble Earl has taken is in strict conformity with that courtesy which it is the custom that a Minister who has resigned office should manifest to one who has received Her Majesty's commands to form a new Administration, namely, to adjourn the House to the not unreasonable period desired by the latter. I shall not stop to discuss that question, as I am anxious to avoid as much as possible entering upon any topic which can excite unpleasant feeling; but I think there was one statement made by the noble Earl which requires to be contradicted now, even though the House is to be adjourned only till Thursday next; for I think it is due to the character of some Gentlemen who are not Members of your Lordships' House, and I may add it is due to some who are Members of your Lordships' House, and particularly it is due to the noble Earl who has received Her Majesty's commands to form a new Administration—I say it is due to them that some notice should be taken of a statement which the noble Earl made with the greatest confidence, and founded, as he said, on facts patent to all your Lordships, and on some explanations of a right hon. Baronet, a friend of mine, in the other House of Parliament. Now, I beg to give to that statement a most positive and emphatic, though at the same time a courteous, denial. The noble Earl stated that from the very commencement of the Session there had been a determination on the part of three parties, whom he enumerated, to overthrow his Government; and he quoted the speech of a right hon. Baronet in the other House of Parliament, to prove that attempts had been made to form a combination by which the Government would be prevented from bringing their measures before the country. My Lords, the very opposite of that statement is the truth. The part which he did take was announced by the right hon. Baronet as having been taken by himself and others, in concert with my noble Friend, who is now absent; and I think it is absolutely necessary for me, or for some one of his Friends—very few of them are to-day present in the House—to rise in his place and to state the real facts of the case. My Lords, I say that the statement of the right hon. Baronet was this: that attempts were made by a few Gentlemen—himself included—to prepare a Resolution which should combine together the whole of the friends of free trade, and, at the same time, to separate that Resolution from all measures of hostility or even appearance of opposition to the Government. It was for that express purpose that my right hon. Friend's labour was bestowed on the preparation of his Resolution; and, my Lords, can there be a more conclusive disproof of the existence of such a combination as the noble Earl described to have been formed for the purpose of upsetting the Government, than the simple fact, that the very words which my right hon. Friend framed, were the words which were eventually accepted and adopted by the Government itself, though they did not receive the sanction and approbation of the hon. Gentleman who first gave notice of his intention to propose a Motion to the House of Commons on the subject of free-trade policy? Consequently the conduct of the Government itself proves that these Resolutions could not have had the effect, as assuredly they had not the purpose, now attributed to them. My Lords, I have already said I do not wish to arouse controversy; but it is due to my right hon. Friend in the other House—it is due to the noble Earl—that such a statement should not go forth uncontradicted. The opposite statement is the real representation of the case. There was a strong and earnest desire that the noble Earl and his Colleagues in the other House of Parliament should produce before the country their measures; and the course of my right hon. Friend, and of those to whom the noble Earl alluded as members of a party of thirty-five—the course they took with regard to the Resolution moved by the hon. Gentleman (Mr. Villiers) are facts patent to all; and were it not for the broad statement made by the noble Earl to-night, I should have thought that contradiction was unnecessary. When the noble Earl talks of combination, I must say that he has himself informed the House of a fact which affords the strongest contradiction to the combination and preparation which he has assumed to exist; for he has informed your Lordships with some surprise, nay, even reprobation, that the noble Earl who was summoned to Osborne on Saturday, required a week in order to form an Administration. I will not now enter further into a discussion on this subject. We have heard before of Prime Ministers who were taken by surprise, and found themselves, or declared that they found themselves in a position which they had little expected. My noble Friend (the Earl of Aberdeen), when he appears in this House, will be capable of explaining to your Lordships the part which he has taken in all these transactions much better than I can do for him; but this I must say, that if the high honour and reputation of my noble Friend, both as a private individual and as a Member of this House, did not command from the noble Earl opposite an abstinence from the insinuations which he has thrown out against him—I think the duty in which, by the command of his Sovereign, he is now engaged, ought to have protected him from charges and imputations of this nature. I rose, my Lords, for no other purpose than to say that the statement made by the noble Earl, with reference to the existence of a combination for the purpose of preventing Her Majesty's Government explaining their measures to the country, is perfectly and entirely unfounded, and I was anxious to give it the most positive and immediate contradiction. I can assure the noble Earl that if, on any future and more regular occasion—for the noble Earl must forgive me for saying that his course upon the present occasion has been a most unusual one—but if on a future occasion he will raise any of these complaints, he shall be fully and fairly met; and if he has been deceived, for in justice to him I cannot believe that he is attempting to deceive, the facts shall be explained to him. It is most important that through such lips as those of the noble Earl the country should not be under any misconception as to the views, the honesty, and the straightforward conduct of those who perhaps before long will be entrusted with the duties of the Administration of this country. I beg pardon of your Lordships for having detained you with those remarks. I found myself placed in an unusual position; but with the affection I bear to the noble Earl (the Earl of Aberdeen) as a friend, as well as from regard to other friends of mine in the House of Commons whose characters have been drawn into this discussion, I could not refrain from offering a few remarks to the

House. In conclusion, I will only beg your Lordships not to consider, because I have not now touched upon them, that there are not many other things in the speech of the noble Earl which may require on a future occasion explanation, and a no less positive contradiction, than that given by me to that particular accusation to which I have called the attention of your Lordships.

The EARL of DERBY: The statement which I made to your Lordships was derived from information which I thought, and still think, was not of a character to deceive me, and was one which I thought it my duty to make. I will not now enter into any controversy on the subject. I will merely state in explanation that I did not say that the Motion had been made for the purpose of preventing us from bringing our measures before the country; but I did say that from the first commencement of the Session there was an obvious concert between different parties, for the purpose of putting the Government in a minority, and that the Motion was made, and concert entered into on the subject, before we had the opportunity of explaining our measures to the country. I did not say that the specific object of making the Motion at that time was for the specific purpose of preventing Her Majesty's Government from explaining their measures. I am not aware that in anything I have said I have in the slightest degree deviated from the courtesy due to the noble Earl now absent; and if I did not comply with his request in moving the adjournment of the House until Monday next, I have stated the reason why I have not so complied, and I also stated that if the noble Earl should not be ready by Thursday next, I should of course be prepared to move the further adjournment of the House from Thursday till Monday; with, of course, the distinct understanding that no business of any importance should be brought forward till then.

House adjourned to *Thursday* next.

HOUSE OF COMMONS,

Monday, December 20, 1852.

RESIGNATION OF THE MINISTRY.

The CHANCELLOR OF THE EXCHEQUER: Mr. Speaker, after the vote at which the House arrived on Thursday night, the Earl of Derby and his Colleagues thought it their duty to tender the resignation of their offices to Her Majesty, and Her Majesty has been most graciously pleased to accept the same. It has reached me that Lord Aberdeen has undertaken the office of forming a new Administration, and therefore it only remains for me to say that we hold our present offices only until our successors are appointed. I hope the House will not think it presumptuous on my part if, under these circumstances, I venture to offer them my grateful thanks for the indulgent, and I may even say the generous manner in which on both sides I have been supported in attempting to conduct the business of this House. If, Sir, in maintaining a too unequal struggle, any word has escaped my lips (which I hope has never been the case except in the way of retort) which has hurt the feelings of any Gentleman in this House, I deeply regret it. And I hope that the impression on their part will be as transient as the sense of provocation was on my own. The kind opinion of the Members of this House, whatever may be their political opinions, and wherever I may sit, will always be to me a most precious possession, one which I shall always covet and most highly appreciate. I beg, Sir, to move, that this House on its rising, do adjourn till Thursday next.

LORD JOHN RUSSELL: I rise, Sir, for the purpose, in the first place, of saying, I entirely concur in the Motion of the right hon. Gentleman, and in the next place to say that I feel quite certain that if, at any time in the course of our debates, those flying words which will occur at such times have carried a barb with them, it is to be attributed entirely to the circumstances in which the House has been placed. For my part I can only admire the ability and gallantry with which the right hon. Gentleman has conducted himself on the part of the Government, and in behalf of the cause which he has undertaken, in the struggle in which he has been for some time been engaged. It is, perhaps, impossible to hope that those halcyon days will ever arrive in which, in the course of debate, an unpremeditated remark will not occasionally occur which will give rise to some unpleasant feeling; but if ever it should occur in future, feelings of that kind must be done away, if the person in the situation of the right hon. Gentleman imitates his example, and disclaims the intention with the same frankness which he has displayed on the present occasion.

Sir JAMES GRAHAM: Sir, with respect to the future I am altogether uninformed, but with respect to the past, after what has fallen from the right hon. Gentleman the Chancellor of the Exchequer, I cannot refrain from saying one word. It would be impossible for me not to avow I was somewhat pained by an expression which fell from the right hon. Gentleman on Thursday night. If I had thought that the right hon. Gentleman, by premeditation, intended to wound me, my feelings would be far different, and it would be my duty to express them in a different manner. But I am not conscious that I have ever in the course of the debate said anything with the intentional purpose to wound the feelings of the right hon. Gentleman, and I could not believe that, without provocation, he gave expression to words intended to wound me. I was confident, therefore, that the expression that had pained me was without premeditation, and what the right hon. Gentleman has just said to-night has confirmed that impression. There is no Member of this House so deeply attached to freedom of debate as I am. In the course of debates here, I have certainly, myself, used unguarded expressions to others, and should, consequently, be the last person to feel resentment after receiving an explanation. At the same time I cordially join in what has fallen from my noble Friend the Member for the City of London. I have never failed to admire the talents of the right hon. Gentleman the Chancellor of the Exchequer, and I also must say, under great difficulties, he has conducted the cause of the Government in the last ten months in this House with signal ability. I shall not for one moment recollect the expression to which I have thought it my duty to refer, and I hope my conduct in this House will at all times insure some portion of its respect.

Sir CHARLES WOOD: Some expressions, Sir, which fell from me the other night having been misunderstood, I should think myself wanting in that proper feeling which has marked the conduct of the right hon. Gentleman opposite if I did not say one word on this occasion. I can only say that, if I had been conscious of having used any expressions beyond the fair limits of debate, I should not have waited till now in order to retract or apologise for them; but so little conscious was I that I had done so, that I remember, on the night when the right hon. Gentleman the Chancellor of the Exchequer spoke, asking the opinion of a right hon. Gentleman who sat near me as to what I had said. He assured me he did not think I had used any expression to justify the attack which was then made upon me. I think it fair to say this in my own defence; though, at the same time, I am ready to admit that, feeling strongly as I did on the question, I may in the heat of debate have been betrayed into a warmth of expression which it was far beyond my intention to use. Having said thus much in my own defence, I beg to add, that I accept the expressions which have just fallen from the right hon. Gentleman the Chancellor of the Exchequer in the same frank spirit in which he has uttered them. He must, I am sure, feel with me that after the terms of reciprocal kindness in which we have always communicated with each other heretofore, it would ill become either of us to indulge in personalities. I will only say, further, respecting any expression of mine that may have given pain to the right hon. Gentleman, that there is no expression of courtesy towards him that I am not ready and willing to make. I am most anxious that our debates should be conducted with the utmost courtesy and good feeling, and I am sorry that anything should have arisen to give a different character to our proceedings.

Colonel SIBTHORP: Sir, I have listened attentively to what has fallen from the right hon. Gentleman the Chancellor of the Exchequer; and also to what fell from the noble Lord (Lord John Russell) and the two right hon. Gentlemen on the opposite side in reply to his observations. Sir, I have heard that you may knock a man down and then step forward with courtesy to give him a plaster. I neither quite subscribe to the knocking down, nor have I any faith in the sincerity of those who offer the plaster. I have heard from the right hon. Chancellor of the Exchequer that the noble Lord at the head of the Government has resigned, and I have learned, subsequently to my coming into this House, that there has been a meeting on the subject in Downing-street. I was not there, but my absence arose from no disrespect, for I declare, upon my honour, that I did not know that any such meeting was taking place. Sir, I do not hold any place, and I never will. I have lost nothing, and have certainly nothing to grieve for; but I feel, nevertheless, for my country. I can enter into the feelings of the noble Lord the Earl of Derby, as an upright and an honourable man; and it is possible that, under similar circumstances, I might even have done the same myself; but I do not hesitate the less to say, that I deeply regret that that noble Earl should have given way to, in my opinion, a band—to a phalanx of conspirators. People talk of dog and cat, but that phalanx will be something worse. The cat and the dog will sometimes lie down together; but I venture to predict that there are feelings in the coalition opposite that will show themselves in the course of time—

> "Naturam expellas furcâ, tamen usque recurrit."

There will come a day when there will be as much dissension, as much jealousy, and as much undermining, as I believe has been practised in the attempt—the successful attempt, I regret to say—to overthrow a Government who have endeavoured, though before untried, to discharge their duty, and who have been actuated but by one feeling, namely, to promote the welfare of all mankind. It is true that I did not approve of the house tax, or the income tax—[*Laughter*]—I don't envy your feelings—but I felt it the duty one man owes to another to step forward and endeavour to rescue the Government from one of the most powerful conspiracies ever threatened. These are my honest feelings, and I trust I shall never prove a recreant to the duty I owe to my Sovereign and my country. I think there is no one that deserves better of the community than the right hon. Gentleman the Chancellor of the Exchequer; and so long as I am permitted to hold a seat in this House I shall remember what has passed, and learn to be on my guard against the man-traps and spring-guns of hon. Gentlemen opposite.

Mr. HUME said, he had no apology to make to any one, but he had an act of duty to perform towards Her Majesty's late Government which he had great pleasure in discharging, and that was to tender them his thanks for the facilities they had always given him for obtaining information upon all subjects on which he had asked it. He had met with nothing but courtesy from all the different departments of Government, and for that he felt most grateful to them. With respect to the Motion for adjournment, he begged to say that to his mind it involved matter for deep and serious consideration. Difficulties might appear to him, perhaps, which were not apparent to others; but he confessed he was fearful that, unless the new Ministry should adopt a wise and prudent course, the character of that House and the system of Parliamentary government, which had been so much eulogised in Europe, would be in danger of suffering. He begged to say that he had a great opinion of the prudence, caution, and discretion of the Earl of Aberdeen, who, he understood, had been sent for by Her Majesty; and, therefore, he was not at present alluding in particular to him; but he begged to say generally, that in the present state of Europe, in the present state of this country, and after the experiment they had had during the last ten months of an attempt to govern against the wishes of a majority of the people, as had been shown by the recent vote of the people's representatives, the future required great consideration, and that in the formation of a new Government care should be taken to have it formed on the broadest possible basis, so as to secure the support of the community at large, and at the same time to carry out that progressive improvement in every branch of the State which was demanded by public opinion; otherwise they would probably soon be put to the trouble of another change. It was on these grounds that he had ventured humbly to state his opinion, and he begged to say that it was his alone, for not a soul had he communicated with on the subject; but he had no hesitation in saying that, unless Her Majesty's Government, whoever they might be, should look more than had yet been done to principles and opinions compatible with the extension of the institutions of the country, so as to make them more efficient and useful for the purposes for which they were established, the consequences to the country would be exceedingly painful. The Government must be prepared to carry on the law reforms which had been so well begun; to continue and complete the system of free trade; and, above all, they must be prepared to purify and reform the system of representation, with respect to which, if there was one argument stronger than another, it was the 130 petitions which had been presented complaining of bribery and corruption during the late elections, and which were enough to throw discredit upon any representative system. Unless, therefore, those who succeeded to office were prepared to weigh well and consider how they could best carry out the wishes of the country in these respects, their time would be wasted, and they would all have reason to regret the result ere long. The noble Lord lately at the head of the Government was reported to have said that one of his objects in taking office was to stop the progress of democracy. He (Mr. Hume) could hardly believe that the noble Lord intended to use the phrase according to the interpretation that had been put upon it. The fact was that the constitution of that House was a democratic constitution. The noble Lord the Member for the City of London (Lord John Russell) had justly declared that in his opinion the mass of the people had their rights and privileges just as much as the Crown and the Peerage had their rights and privileges; and all he (Mr. Hume) asked was, that those who succeeded to the Government should take care that the democracy had their just rights, and he asked them to do this as the best means of preventing the evils which were alleged to arise from democracy—because in general he believed it would be found that those evils had arisen from withholding from the people their just rights. Now was the time, when the people were comparatively comfortable and happy, to make those changes which were necessary to place our institutions on a satisfactory footing to give an example to the whole world, and to carry on harmoniously the government of the country. He hoped to live to see those reforms realised, and he was confident that all attempts to prevent them would fail.

Mr. CAYLEY said, that in a great portion of the opinions which had just fallen from the hon. Member for Montrose he cordially agreed. He cordially agreed with him as to the manner in which the Members of the late Government had acted towards all those who had occasion to come in contact with them on matters of business. He thought the hon. Gentleman might have gone further, and said that in his recollection no set of men had ever administered the Government with more practical advantage to the country than the right hon. Gentleman the Chancellor of the Exchequer and his Colleagues, who were now vacating their seats on the Ministerial benches. And he might even have gone still further, as the great redresser of grievances, and said that no man who had filled the office of Chancellor of the Exchequer had ever held out more hopeful promises of redressing grievances than the right hon. Gentleman. As compliments seemed to be the order of the day, if the right hon. Gentleman would accept from so humble a person as himself his feeble tribute of admiration for the manner in which he had conducted, not only the business of his office, but the business of the Government generally in that House, he was ready and willing to pay it. The right hon. Gentleman had entered office with a high reputation; in his (Mr. Cayley's) humble opinion, he would go out of it with a reputation, not only untarnished, but increased in a large measure in the estimation of the country. His belief was that the country would still look forward to the day when those measures which the right hon. Gentleman had propounded would be realised, and sure he was that they would not be satisfied until most of them were carried.

Motion *agreed to.*

IRON ORDNANCE.

Sir GEORGE PECHELL moved for a Return of the unappropriated Iron Ordnance in store at Woolwich and the outports for the land and sea service; distinguishing the serviceable, unserviceable, and obsolete; and Return showing the number of Iron Ordnance condemned as unserviceable in each year since 1848, and how disposed of, and, if sold, the price paid for the same.

Colonel DUNNE said, there had been a sale of the old Ordnance every quarter to the extent that people would buy them. He considered that it was inconvenient under present circumstances to give this Return.

Sir GEORGE PECHELL said, it was convenient enough to come down to the House the other night for 8,000*l.* for new Ordnance, which was granted, and he did not see why it was inconvenient to give this Return. They got that 8,000*l.*, though he (Sir G. Pechell) stated at the time that there were more than 14,000 serviceable guns in the different arsenals.

Colonel DUNNE said, that he would rather leave the granting of the Return to the discretion of his successor, who probably might be the hon. and gallant Member.

Mr. HUME said, he must express his surprise that any opposition was made to this Return. This pretension of secrecy was a perfect mockery. The French Government knew perfectly well how many guns we had in our arsenals, and how many were fit for service; and if we were to send a person over to France, he could get the same information concerning theirs.

Sir FREDERICK SMITH said, he hoped the Return would be given. He hoped, also, it would not be imagined that because they had a vast number of guns of small calibre, they were not in want of guns of a more moderate construction and larger calibre.

Lord DUDLEY STUART said, it was remarked a few days ago that the Members of the Government were well received at Guildhall, and the next day the Sheriffs of London appeared at the table with a petition against the Government measures; and they had the hon. Member for Montrose (Mr. Hume) praising Ministers a few minutes ago for their readiness to give information, and now blaming them for refusing information.

General ANSON said, it would be quite proper that the Return should be given: he apprehended there was no wish for concealment, but, under the circumstances, notice had better be given for the next meeting of the House.

Mr. WALPOLE had no doubt the hon. and gallant Member would get his Return if he would move for it another day. It was not of an immediately pressing nature.

Sir GEORGE PECHELL said, he was only asking for a continuation of a former Return, and he would divide the House if the Motion were resisted.

Sir ROBERT H. INGLIS apprehended that the numbers present would not enable the hon. and gallant Member to gain his object by a division.

Notice taken, that Forty Members were not present; House counted; and Forty Members not being present,

The House was adjourned at half after Five o'clock till *Thursday*.

HOUSE OF LORDS,

Thursday, December 23, 1852.

Minutes.] Public Bill.—3ª Stamp Duties on Patents for Inventions.

MINISTERIAL ARRANGEMENTS.

The Earl of DERBY: My Lords, in consequence of a communication I have this morning received from the noble Earl who has been intrusted by Her Majesty with the duty of forming an Administration (the Earl of Aberdeen) requesting me to move the adjournment of the House till next Monday, by which time he gives me reason to believe that his arrangements will be completed, I beg leave to move that this House, at its rising, adjourn till Monday next.

House adjourned to *Monday* next.

HOUSE OF COMMONS,

Thursday, December 23, 1852.

APPOINTMENT IN THE DUBLIN POST OFFICE.

Mr. J. BALL said, he wished to put a question to the hon. Secretary for the Treasury. He had been informed that upon a vacancy arising lately in the office of President of the Money Order Department in Dublin, a gentleman already in the service was highly recommended by the local authorities as a proper person to fill it, and that there were thirty-four other gentlemen who might, in the ordinary course of promotion, have aspired to fill the office; but that the appointment had nevertheless been given to another gentleman who had not previously been in the public service at all, and who, he believed, was chiefly known to the public in Ireland for the extreme violence of his denunciations of the Poor Law Board. He wished to know, therefore, whether in filling up the vacant office of President of the Money Order Department in the Post Office in Dublin the usual practice of that department had been violated by the appointment to the vacancy of a person not previously engaged in the public service?

Mr. G. A. HAMILTON said, that by the appointment in question no rule had been infringed, nor had the usual practice been violated. The gentleman whose death occasioned the vacancy was the first President of the Money Order Department in Dublin; obviously, therefore, there was no practice or precedent as regarded that office in the Dublin Post Office. But a similar office existed in the London Post Office, and it appeared that in 1841 the Earl of Lichfield appointed a gentleman not previously in the Post Office, nor, he believed, in any public service; and on the same office again becoming vacant, in 1851, the Marquess of Clanricarde appointed a gentleman of high respectability and intelligence, not previously connected with the Post Office, or with any other department of the public service. With regard to the gentleman now appointed, Mr. Joseph Long, the position of the hon. Member, when connected with the Poor Law Board, must have made him well acquainted with that gentleman's intelligence and efficiency; in proof of which it was enough to say, that during a period of eleven years he had been unanimously elected by the citizens at large the senior auditor of the corporation, and had frequently received the thanks of the corporation for his honourable and upright conduct.

COMPLAINT AGAINST THE GOVERNOR OF GIBRALTAR.

Mr. BRIGHT said, he begged to put a question to the right hon. Secretary of State for the Colonies. It would be in his recollection that a deputation waited upon him before the dissolution of Parliament, with regard to a certain occurrence at Gibraltar. In the month of March a meeting of the merchants and traders of thet own was called with the view to passing a memorial to the Colonial Secretary with regard to certain grievances which they complained of. The Governor of Gibraltar issued a notice that the meeting should not be held. The meeting, therefore, was not held, and the merchants and traders were shut out from making known their grievances in the ordinary way to the Colonial Office. The right hon. Gentlemen gave the deputation to understand he would apply to the Governor of Gibraltar for his statement, and inform them of the result. He wished now to ask the right hon. Gentleman whether he had made the application; if any return had been made by the Governor of Gibraltar; and if any statement or answer had been returned, whether he would be kind enough to lay it on the table of the House?

Sir JOHN PAKINGTON said, he remembered the circumstance of the deputation to which the hon. Member had alluded, and in consequence of the information he then received he addressed a letter of inquiry to the Governor of Gibraltar; but he had not yet received any explanation in answer.

The House adjourned at a quarter before Five o'clock.

HOUSE OF COMMONS,

Friday, December 24, 1852.

ADJOURNMENT OF THE HOUSE.

The CHANCELLOR of the EXCHEQUER: Sir, I believe it will be convenient for the public service that the House at its rising should adjourn till Monday next, at Two o'clock, I make that Motion.

Colonel SIBTHORP said, he wished to trespass upon the House for two or three minutes. He was sure there could be but one feeling, that no degree of blame attached either to the right hon. Gentleman who had just sat down, or to any Member of the Government, for these constant adjournments; but it was lamentable that the country should be left in its present state of suspense, occasioning an interruption to all the public business of the country. He, and, no doubt, many other hon. Members, were anxious to move for returns, but they were quite at a loss to know to whom to apply for them. He was bound to say, that he had always received the greatest attention and courtesy from every department of the Government, and he was confident others would say the same thing; but he repeated that it was lamentable the country should be kept in its present suspense, owing to the incompetency of those who had dared to wrest the Government of this country from the only hands competent to perform the duties of office in a manner satisfactory to the public at large. But a fair and honourable trial had not been afforded them, and they were now about to be displaced by men who knew nothing of their business, who had run away from their posts, and who had put him more in mind of Sir John Falstaff's ragged corps than any other body of men he could think of. When was this to end? It reflected no credit on the party opposite, who were attempting to come in, and he trusted that the country would express its deep sense of their misconduct. He firmly believed that if they did get in they would not retain their offices for any long period. They were black sheep, and would show themselves in their colours before many weeks were over. He had thought it his duty, on the part of the country—[*A laugh*]—and of those whom he represented, to make these observations. Hon. Gentlemen might laugh, but the day would soon come when their countenances would bear a very different appearance. That was his honest opinion.

Sir ROBERT H. INGLIS said, he wished for one moment to call the attention of the House to a subject which he was sure was equally interesting to both sides—he meant the late Arctic Expedition. Her Majesty's present Government had for some time been desirous that an expedition should be sent out in search of the vessels which had long been missing in that direction; and he was anxious that right hon. Gentlemen on the opposite side of the House should not merely carry out that object in the full sense intended by their predecessors, but that they should do still more, and, instead of sending a mere sailing vessel, as was at present intended, should apply the agency of steam, which had hitherto been found one essential element of success in such an undertaking. Whatever had been done hitherto, humanly speaking, had been by the intervention of steam vessels; and he trusted, therefore, that the successor of the noble Duke at present at the head of the Admiralty would not only adopt all that that noble Duke had contemplated, but would apply steam navigation to this purpose, which was not only one of science and humanity, but of actual justice.

Motion *agreed to.*

House adjourned at a quarter after Two o'clock till *Monday* next.

HOUSE OF LORDS,

Monday, December 27, 1852.

Minutes.] *Took the Oaths.*—The Earl of Craven.

MINISTERIAL STATEMENT.

The **Earl of ABERDEEN**: My Lords, in rising to move the adjournment of the House, it is my duty, as it is my desire, to give your Lordships the requisite information respecting the recent construction of Her Majesty's Government, and to indicate, though very briefly, the principles and general policy upon which we propose to act. My Lords, I believe it has been the usual course for men who have been placed in the situation in which I have now the honour to stand, to profess the diffidence and reluctance with which they have undertaken the task imposed upon them. I doubt not they have done so with perfect truthfulness, and sincerity; but if that has been the case with others, your Lordships may easily imagine how much more largely I participate in those feelings. Your Lordships must be aware that I have taken little part in the proceedings of this House, except upon such occasions as were necessarily connected with the departments in which I have had the honour to hold office; and your Lordships may readily believe that my tastes, habits, and pursuits, have lain in another way. Arrived, too, at the very verge of that period which has been assigned to human life, it may well be supposed that other thoughts and other aspirations might have more properly been my choice. Nevertheless, I have felt it to be my duty to obey the commands of my Sovereign. My Lords, before describing the proceedings which have recently taken place, I wish to advert to a circumstance which I understand occurred a few days back in this House; when the noble Earl opposite (the Earl of Derby) at a time and upon an occasion not altogether usual, accused me and those who acted with me of having entered into a species of combination or conspiracy to overthrow his Government. My Lords, I believe the accusation was answered at the time by my noble Friend, the noble Duke near me (the Duke of Newcastle). Nevertheless, I wish to add that my share in such a conspiracy was not for the purpose of ejecting the noble Earl from office, but for the purpose of keeping him in office. When it appeared, from the ambiguous and uncertain nature of an important paragraph in Her Majesty's Speech, that it was indispensably necessary that some Resolution should be moved, or some declaration made, of the advantages of free trade, my only anxiety was that the terms of that Resolution should be such as the noble Lords opposite and their Colleagues might adopt consistently with their own declarations, and without doing violence to their own feelings. Those terms were framed and adopted; and, singularly enough, they had the effect intended by those who prepared them—namely, that of enabling the noble Lords to continue to hold the offices which they then held; and, by the assistance and the votes of the very conspirators themselves, they were so enabled to continue to hold those offices. My Lords, if any further evidence is required of the nature of that conspiracy, I may state that, precisely at that time, I had myself taken measures to engage a residence at Nice, with the firm determination of passing a few winter months upon the shores of the Mediterranean. So much for the conspiracy. My Lords, upon Saturday week, after the division of the previous Thursday night, in the House of Commons upon the Budget, and the resignation of the noble Earl and his Colleagues, I received a message from the Queen desiring my attendance at the Isle of Wight, and informing me at the same time that Her Majesty had been pleased to summon my noble Friend the noble Marquess near me (the Marquess of Lansdowne) to attend at the same time and place. Upon communication with the noble Marquess I found that, in consequence of indisposition, he was unable at that time to leave his house. I therefore thought it incumbent upon me to wait Her Majesty's further commands. I received them upon the following day; and, my Lords, I confess it appeared to me that the time had arrived when it was possible for men whose political differences the course of events and recent legislation had almost, if not altogether, effaced or removed, and whose personal respect and friendship had never been interrupted—I say I thought that the time had arrived when it was possible for those persons to act together in the public service. I thought that probably the time had come when this country was tired of distinctions without differences, and which had no real effect upon the principles of the policy to be carried out. My Lords, it appeared to me that if my noble Friend the Member for the City of London (Lord John Russell) should entertain the same views and the same opinions, I might attempt to undertake the task which had been imposed upon me, but which, without his aid, I should have attempted in vain. I have neither the youth, strength, or ability, requisite for the purpose. But the day before I went to the Isle of Wight, having had an interview with my noble Friend, I ascertained that his sentiments were entirely in conformity with my own; and I therefore had no difficulty in assuring Her Majesty that I would endeavour to comply with the command which She was pleased to lay upon me. My Lords, upon my return from the Isle of Wight, I lost no time in endeavouring to fulfil the injunctions of Her Majesty; I do not say that that was attended with no difficulty; but this I will say, that I found in every quarter the greatest desire to lay aside all personal views and objects, and cordially to unite as far as possible in the promotion of that policy which we believe to be essential to the welfare of the country. My Lords, I have succeeded in preparing a list for Her Majesty's approval, which has been fortunate enough to receive the approbation of the Queen, and which now stands for the judgment of the country. The noble Earl stated, I believe, that he thought I might have done this in twenty-four hours. I have taken a week; and I can assure him that I have found that period not at all too much. My Lords, in proceeding now very briefly to touch upon different political points connected with the objects and policy of Her Majesty's Ministers, I need not detain your Lordships at any length upon our relation with foreign Powers. The truth is, my Lords, that for the last thirty years the principles of the foreign policy of this country have never varied. There may have been differences in the execution, according to the different hands intrusted with the direction of that policy; but the foundation of the foreign policy of this country has, I repeat, for the last thirty years been the same. It has been marked by a respect due to all independent States, a desire to abstain as much as possible from the internal affairs of other countries, an assertion of our own honour and interests, and, above all, an earnest desire to secure the general peace of Europe by all such means as were practicable and at our disposal. I do not say that differences may not have existed, or that sympathies may not have been excited on behalf of certain States in their endeavours to promote constitutional reforms and to obtain constitutional government; but the principle of our policy has always been to respect the independence, the entire independence, of other States, great or small, and not to interfere in their internal concerns. That will continue to be the case; and I trust that we shall still retain the friendship and good will of all foreign countries, whatever the nature of their government or constitution. If ever it should be the fate of this country to be called upon to interfere in any matter foreign to ourselves, my earnest desire, my great hope is, that we shall never be called upon to act except to exercise the blessed office of the peacemaker. But, my Lords, earnestly as I desire to see the continuance of peace, and anxiously as I wish to promote it, at the same time I am by no means disposed to relax in those defensive preparations which have been undertaken recently, and which, perhaps, have been too long neglected; not that these preparations indicate any expectation of hostile proceedings from others—on the contrary, they are adopted in the interest of peace itself; and, as those preparations are essentially defensive, they ought not and cannot give umbrage to any Power whatsoever. But, my Lords, the great object of Her Majesty's present Government, the great characteristic of that Government, and the mission with which they are peculiarly entrusted, is the maintenance and the prudent extension of free trade, and the commercial and financial system established by the late Sir Robert Peel. My Lords, I am not going to enter into a discussion of the respective merits of direct or indirect taxation; it is obvious that in a revenue such as ours the union of both is indispensable, and it is to the just distribution and application of that principle that we look for the prosperity of the country. In our financial system, my Lords, a difficulty—a crisis, I would almost say—will necessarily arise, by the early cessation of a very large branch of the revenue. That must necessarily be supplied; and doubtless it will tax the ingenuity and ability of all those who are concerned in this undertaking to accomplish that great work according to the principles of justice and equity. My Lords, another matter to which I may refer, in which the country is deeply interested, and upon which a general expectation exists, is the extension of national education. This has become a want—a want which the country strongly desires to see supplied, and which has engaged the attention of all who have undertaken the direction of public affairs. I am old enough to remember the introduction into this country of the Bell and Lancaster system of education, and I well remember the apprehensions it excited, and the opposition it encountered; but by degrees these have ceased, and the only difference among us now is, not whether or no education shall be general and universal, but as to the mode in which that end can best be effected. I admit that the subject is full of difficulty, and attended with very grave considerations. It is undoubtedly my great desire, recognising as I do the vital importance of the religious element in all education, to see the due influence of the Church exercised in matters of this kind, consistently with that perfect right and freedom which all men are entitled to expect in such matters in this country, and which it has long been our pride to acknowledge. My Lords, another want, and which I may say the people have now demanded, has been the progress of those law reforms which, introduced by the late Government, were taken up by the noble and learned Lord now on the woolsack (Lord St. Leonards), and prosecuted with so much vigour, ability, and success in his hands. This is a matter that must still be pursued, and it is no doubt one that will meet with the concurrence of your Lordships, and finally will give that satisfaction to the public which they have a right to receive. It is an object which we have all had in view, but which until this time we have not been able to accomplish. My Lords, by the extension of education, and by the progress of law reform, I trust the social condition of this country will be materially improved; and that by the progress which it will be our endeavour to make in all that concerns the welfare and happiness of the country—by cautious and steady progress—we hope that both the intellectual and material condition of the people will be improved. My Lords, these reforms will not exclude amendments of our representative system—not rashly or hastily undertaken, but by safe, well-considered measures. It can, I think, hardly be denied by any man that some amendment of this system is required, and unquestionably the events of the last election have not been such as to render any man more enamoured of the system which at present exits. My Lords, the noble Earl referred, as I understand, to the existence of a Conservative Government, and expressed some surprise and curiosity to learn how I should be able to carry on the service of the Crown surrounded by those persons with whom I was likely to be associated. My Lords, I declare to the noble Earl that in my opinion no Government in this country is now possible except a Conservative Government; and to that I add another declaration, which I take to be as indubitably true, that no Government in this country is now possible except a Liberal Government. The truth is that these terms have no definite meaning. I never should have thought of approaching my noble Friend the Member for the City of London (Lord John Russell), unless I had thought he was Conservative; and I am sure he never would have associated himself with me unless he had thought that I was Liberal. My Lords, these terms it may be convenient to keep up for the sake of party elections; but the country is sick of these distinctions, which have no real meaning, and which prevent men from acting together who are able to perform good service to the Crown and to the country. I trust, therefore, that in the just acceptation of the word, whatever the measures proposed by the present Government may be, they will be Conservative measures as well as

Liberal, for I consider both qualities to be essentially necessary. My Lords, the noble Earl also referred to the necessity of resisting the encroachment of democracy. I am quite ready to unite with him in resisting the encroachment of democracy, or any other encroachment of an illegal character; but I am at a loss to see where these encroachments exist. I look in vain for any such indications at the present moment. I should say, on the contrary, I never recollect this country more tranquil, more contented, less abounding in subjects of danger and alarm, than at the present moment; and this prosperity, contentment, and happiness I believe to be mainly owing to the system the late Sir Robert Peel established, and which it is our business to uphold and to extend. No doubt, speculative men have at all times in this country, in their closets, come to the conclusion that a democratic form of government may be preferable to a monarchical; but these are not men who subvert States, and are therefore not dangerous in a state of society like ours. That there must always be men reckless, violent, and unprincipled, ready for any excess and outrage, is but too true; but, at the same time, there is less reason to entertain such apprehensions at the present moment than I ever recollent in the course of my life. I have great confidence in the people of this country; and I do believe the imputation, and even the existence of alarm at this moment, is almost a libel on the people. My Lords, I regret to have been informed that the noble Earl spoke in a tone which indicated hostility to Her Majesty's Government. I regret it deeply, because I well know the vast powers of the noble Earl. I am well aware of all that he is able to do; but I believe that we have a good cause, and I trust, if it can only be made manifest that we are sincerely animated by a real desire to promote the welfare of the great body of the people, we shall have the support of the country, as I am sure we shall have the approbation of our own consciences. My Lords, I beg to move that this House at its rising do adjourn until Thursday, the 10th of February.

The Earl of DERBY: My Lords, so much do I concur in what the noble Earl has stated, and so little is there in the programme of his Government, so far as he has explained it to-night, with which I, for one, feel I have any cause to complain; that I should hardly have thought it incumbent upon me to say a single word, had not the noble Earl alluded to me personally in a manner which renders it impossible for me to remain silent. I would not have risen at all on this occasion if the noble Earl had not referred to the circumstances which occurred the other evening in a manner which makes it impossible for me to abstain from some remark, and in a manner, also, which convinces me that on this point the noble Earl must have been greatly misinformed. The noble Earl has spoken of the "hostility to the present Government" which I indicated on that occasion. I can assure the noble Earl that any one who has led him to believe that I expressed "hostility" towards his Government has greatly misinformed him. I said, on the contrary—what I am sure your Lordships will forgive me for repeating, and though I am sure the noble Earl will believe that I could have said nothing inconsistent with the high respect I have ever entertained for his many estimable qualities—I stated that at that moment I was anxious to forbear from a single expression, in commenting on that which had taken place, which could in the slightest degree raise a controversy, or prejudge what was at issue; and I promised the noble Earl—and I trust there was nothing inconsistent with my respect for him in so qualifying that promise—that if his policy should be based upon those principles which I believed he held in common with myself—although from the associations with which he was surrounding himself, I necessarily had some doubts—he might rely upon receiving from me, and from my friends, if not a cordial at all events a sincere and a conscientious support: that he should meet from us more forbearance than had been exhibited to us; and that he might rely on not being met, on our part, by any factious opposition or unprincipled combination. These were the sentiments which I expressed on that occasion, and these are the sentiments which I am happy to have an opportunity of repeating. I felt, and I feel, no hostility to the noble Earl personally—I am sure that he himself would never suspect me of it; and on public grounds I did not feel, and do not feel, what can be called hostility to his Administration; I shall be rejoiced to find him enabled to conduct the Government on principles such as will permit me to give him my support. The noble Earl has also used—not once or twice, but five or six times—the term, as proceeding from me, of "conspiracy," representing that I had alleged that a "conspiracy" had been entered into against the late Government. My Lords, no such expression fell from my lips; to the best of my judgment, to my belief and conviction, I used no such phrase. What I stated then I hope your Lordships will not think I am really wasting your time if I state again in his presence—because I am convinced, notwithstanding some denials with which my statements have been met, that to the extent to which my statement then went I stated facts, and not, as they have been represented to be, mere matters of fiction and surmise. I said that I felt it was incumbent on me on that occasion to state and to prove to your Lordships that I did not lightly and without cause throw up the heavy responsibility which had devolved on me in consequence of my acceptance of office; for my belief was that as great a responsibility attached to the lightly surrendering office as could possibly attach to the lightly accepting it; and I stated that, if we had been defeated on any casual or fortuitous question, or upon any matter of minor importance, I should not have considered myself justified in resigning office, however much I might have felt that a Government under such circumstances would to a certain extent be disabled from performing its duty in the manner which would be desirable. I stated what was the position of the House of Commons at the close of the last general election; and I showed that the position of that House was such, that although Her Majesty's late Government had the confidence of by far the largest party in it, exceeding numerically every other separate party, yet that, not possessing the confidence of a full moiety of the House, it was necessarily in the power of all the other parties, by combining on a vote, to put the Government at any time in a minority, which would render the resignation of the Government desirable, if not imperative; and I went on to state—and I am sorry that I should have to repeat this—that from the period of the general election down to this time, I had seen indications of a concert among different parties in opposition to the Government, such as I could not avoid seeing was a determination on their part to produce such a result. After what has been said by the noble Earl this evening, I, of course, acquit him of having been actuated by that motive, which I attributed generally to that concert of parties. But I am sure the noble Earl will forgive me, and that your Lordships will not think I am needlessly wasting your time, if I venture to point out the grounds on which I formed that opinion—with which I did not trouble your Lordships on the former occasion, and which I would not state now had not the noble Earl thought fit to refer so broadly to what passed. Shortly before the general election, when it was known that a general election was immediately impending, various addresses were of course issued to various constituencies by Gentlemen representing all those varieties of opinion, between which I cannot concur with the noble Earl in thinking there was a distinction without a difference; and among others a right hon. Baronet, with whom for some years I had the pleasure and the honour of living on terms of the greatest intimacy and friendship—a right hon. Baronet, who had formerly, in his early youth, been the representative of the very radical constituency of Carlisle, and having subsequently represented various places, and been connected with distinct constituencies in the intervals, returned at last to his former constituents at Carlisle, confessed the political infidelities of which he had been guilty—deviating at one time into Whiggism, and at another into Conservatism — acknowledged the errors of which he had been guilty—and said that he returned to the bosom of his old constituency as to the old love of his Radical days. I think that the noble Earl will admit that between that right hon. Baronet and us there was a difference of opinion, not without a very great and very broad distinction. In addressing his constituents, referring to a charge at that time made against Her Majesty's late Government, that they were a Government without principles, and that the language used by their supporters at different places was very discordant and irreconcileable, the right hon. Baronet said that he would place the issue the country was called on to decide on one single and simple ground. Confidence, he said, had been claimed for the Government of the Earl of Derby; and he would place the issue on a footing equally clear—namely, that of opposition to the Government of the Earl of Derby. That was the question on which the right hon. Baronet invited all classes of persons to join issue, and that was the single principle which that right Baronet avowed would govern his conduct. He stated that for thirty-four years his life been before the public—he stated what he was: an ardent reformer, a free-trader, a friend to the Church, and other things which I don't remember; but I do remember that he finished by saying—this he confessed to—that he was a decided opponent to Lord Derby's Government. I hope, therefore, I am not wronging the right hon. Baronet—after this, his own, declaration—still belonging, as I understood him to say, to the Conservative ranks, and communicating, as I know, with Gentlemen professing Conservative opinions—when agreement with other sections of the House was necessary to place the Government in a minority—I hope I am not assuming too much when I say I could not reckon largely on the friendship or forbearance of that right hon. Baronet. We have heard the whole course of proceeding which took place at the commencement of the Session—and it is not from the gossip of clubs, which I do not frequent, and it is not from the tittle-tattle of private conversation, which I will not repeat, but from the declarations and statements made in his place in Parliament by that right hon. Gentleman himself, that I inferred, and that I do infer, not a conspiracy, but a concert between different persons and parties for the purpose, at the commencement of the Session, of placing the late Government in a minority. That is the whole extent of the statement I made on a former occasion—that from the commencement of the Session I saw that different parties, including among them Gentlemen of "Conservative" opinions, as they professed, were concerting together for the purpose of putting the late Government in a minority. The noble Earl says that there was no such concert, and that as far as he was concerned there was no such object; and I believe all that the noble Earl states with regard to himself. But the facts as to others are plain. The right hon. Baronet to whom I have been referring states that he arrived in town at a late hour of the evening previous to the delivery of the Queen's Speech; and that he immediately called on the noble Earl (the Earl of Aberdeen) with whom, he said, he was in the habit of having unreserved and friendly communications on political matters. I do not mean, in quoting this, to identify the noble Earl with all the political views and opinions of the right hon. Baronet; least of all do I desire to identify the noble Earl with the right hon. Baronet's declaration at Carlisle—for the differences may suggest to the noble Earl that there may be some distinctions in political matters even between men sitting in the same Cabinet. The right hon. Baronet's statement, however, is that he called on the noble Earl, and consulted him as to the course he should pursue with regard to that paragraph in the Queen's Speech which referred to the commercial policy of the country. The right hon. Baronet, I am bound to say, seems to have displayed great activity on the occasion; for, though arriving in town late at night, he yet had an opportunity, before two o'clock on the following day, of communicating with and ascertaining the sentiments of the noble Earl and his Friends, the noble Lord the Member for the City of London and his Friends, his "hon. Friend," as he called him, the Member for Manchester (Mr. Bright) and his Friends, and the hon. Member for Wolverhampton (Mr. Villiers) and his Friends. With all these different persons and parties the right hon. Baronet consulted and concerted on the course to be pursued with regard to an amendment or no amendment on the Address to the Queen's Speech, the introduction or the non-introduction of a substantive Motion, recording the opinion of Parliament in favour of free trade. It was, it appears, finally agreed that there should be no amendment on the Address; and the hon. Members for the West Riding and Manchester, and the followers of those Gentlemen, although they would have preferred an amendment, yielded to the objections of those with whom for the time they were co-operating, and abstained from bringing forward any amendment, lest, if urged on them, we are told, discord and division might be thrown into the ranks of the Opposition. The Speech from the Throne was delivered; and there was a paragraph in that Speech, touching on the national commercial policy, which the noble Earl has told us was in itself ambiguous. I do not agree in that interpretation; but I think the noble Earl will admit that if there was any ambiguity in that paragraph, the declaration which I made in this, and the declaration which was made in the other House of Parliament by the late Chancellor of the Exchequer, should have removed and did remove any possible doubt as to the intentions, in this direction, of Her Majesty's Government. That explanation, however, was not waited for in the House of Commons; for after the Mover and Seconder had made their remarks in urging the Address in answer to the Speech from the Throne, we have it on the declaration of the right hon. Baronet, that Mr. Villiers—I may mention him by name, as he is not a Member of this House—stepped across to him and asked his advice and his counsel whether he should or should not give notice of a substantive Motion on the subject of free trade; and the right hon. Baronet gave the advice—which was, that Mr. Villiers should bring forward a substantive Motion; and, in consequence, the requisite notice was immediately given by Mr. Villiers. The notice was given in very general terms; and it was not until late in the following week—not, indeed, until within three or four days of the day fixed for debating the Motion—that the precise terms of the Motion were put on record. Of course, Mr. Villiers being the person who gave notice of that Motion, if there was no concert with other parties, Mr. Villiers was the person by whom that Motion was framed, and framed, of course, acting on his own principles and his own views, without consulting others, and least of all with any of the Conservative Members of the House of Commons. But no; the Motion was not prepared by Mr. Villiers, but by the right hon. Baronet the Member for Carlisle, who tells us that he took great pains in framing it, that he considered himself responsible for it, and that he took particular pains in respect of its language. Having framed that Motion, what was the next step of the right hon. Baronet? To consult as to the language of the Motion with the noble Lord the Member for the City of London; and having obtained the sanction of the noble Lord to what the right hon. Baronet had himself drawn up, with the adoption of one amendment, which neither added to nor took away from the strength of the original Resolution, the right hon. Baronet next proceeded to the Conservative section of his friends in the House of Commons—those who had been his Colleagues in Sir Robert Peel's Government—to consult with them how far they would concur in the terms proposed by himself and adopted by the noble Lord the Member for the City of London. Having explained that he had gone to these different parties, the right hon. Baronet stopped short in his revelations; and he has not told the House of Commons what was the cause—on what ground it was—that, having taken these great pains in shaping his Resolution, and having obtained the concurrence of the noble Lord the Member for the City of London on one side, and of the Colleagues of Sir Robert Peel on the other side, that Resolution was not proposed in the House of Commons, and why another Resolution was substituted for it. I am here speaking of facts. At what time the alteration was made I know not; but that when a communication was made by the right hon. Baronet to the Gentleman in whose hands the Motion had been originally placed, there can be no manner of doubt that the friends of that Gentleman insisted on the insertion of certain words which, in their judgment—and they were quite right—rendered it perfectly impossible for the Government to accede to the Motion. But these words were so inserted, and to those new words the consent was given of the other parties with whom the right hon. Baronet was in this matter acting. Now I have said nothing of "conspiracy"—I may have used the word "combination;" but I know not what is the meaning of words or terms if the negotiations I have detailed, and which I have detailed on the authority of the right hon. Baronet himself, did not mean and imply a concert hostile to the Government, between three totally different parties in the House of Commons, one of those parties professing Conservative opinions, and, by the mouth of the noble Earl, declaring that they had no differences of opinion with Her Majesty's late Government, except on one point. The noble Earl says the terms of the Resolution in question were studiously framed by its authors, not for the purpose of embarrassing—far from it—not for the purpose of ejecting, and not for the purpose of putting a difficulty in the way of Government—but for the purpose of framing such words, as, while asserting the principles of the framers, might, at the same time, obtain the concurrence of the late Government. My Lords, I give the noble Earl implicit credit for the sincerity of his declaration; but I cannot help saying, that if it were only the object of those Gentlemen to obtain the recognition of a principle in such a manner and in such terms as the late Government would consent to, it is singular that before giving notice of the Motion, the only party whom those Gentlemen did not consult were the Members of the Government themselves—that every other party except the Government were consulted as to the terms of the Motion, which it appears was to be proposed, with the view of obtaining the concurrence of the Government. I do not say that to conceal as long as possible the terms of such a Motion from the Government was not good policy in an united Opposition; but I do say, that to bring forward a Motion professing to avow a principle which the Government had acknowledged its readiness to recognise, to abstain from communicating the terms of that Resolution to the Government, and then to say that their only object was to obtain the assent of the Government to their proposition, was a course inconsistent with friendly professions; was not consistent with any concert with the Government; but was consistent, and could be consistent only, with a concert between all the other sections of the House of Commons for the purpose of embarrassing the Government. But, again, why was it, I ask, if these Gentlemen were themselves satisfied with the words in which their Resolution was framed, and if their only object was what they professed, that they subsequently consented to alter the terms and to give up their Resolution altogether, in fact, for the purpose of adopting another Resolution framed by an extreme party in the House—and framed for the express purpose of rendering it impossible that the Government could accede to it? The noble Duke opposite (the Duke of Newcastle), contradicted me the other night as to the facts I was alleging; but he will not, I think, deny, that although the party with whom he was then acting, and with whom he is acting, had consented to the Resolution as framed by the right hon. Baronet, and nearly identical with that which the Government finally accepted; yet that this Resolution in the first instance was not put forward by them at all, and that they had come to a decision, and made that decision pretty publicly known, that if only two Resolutions were to be divided on, the one being that of Mr. Villiers, and the other the Amendment of the late Chancellor of the Exchequer, they were prepared to give their support and their votes for the Motion and against the Amendment. These are the facts of the case as I find it; and, indeed, the noble Duke himself will not pretend that he entered the walls of Parliament during the present Session with any friendly feelings towards the Government — he will not pretend that he was not looking forward to an early opportunity of putting the Government in a minority—he will not pretend that he did not publicly express—not in his place in Parliament, but in a manner amounting to publicity—I mean that he made no secret of his desire—to find an early opportunity of ejecting the Government, and that, before the announcement of the Budget, he had declared his strong opinion that the Budget would afford a favourable opportunity of effecting his great object. This the noble Duke will not deny; and no one can deny that there was that concert between different parties as to the adoption of the Resolutions of Mr. Villiers, and that, when it was agreed to by those different parties, it was known and foreseen that such a Resolution could not have the assent of the Government. I have now, my Lords, stated those facts which induced me the other night to declare that, from the very commencement of the Session, I believed there was a concert between different parties for the purpose of defeating the Government. I can easily conceive that it might have been more convenient to some parties if Her Majesty's Government had not been quite so ready to confess defeat, and if they had submitted only after repeated hints, in order that their position might have been made more discreditable before retiring. I can perfectly believe that it was not the wish of some Gentlemen who acted together on the occasion I have referred to—and I am bound to believe it was not the wish of the noble Earl himself—that the late Government, previous to Christmas, should be compelled, because they were in a minority, to resign. I will not now enter into a discussion as to the merits or demerits of the Budget which was proposed by the late Chancellor of the Exchequer. The noble Earl has adverted, in the speech he has made this evening, to the necessity of considering the very important question which formed a material element in that financial scheme; and he has spoken on that subject in terms which lead me to hope and believe that some of his Colleagues have already reconsidered the extreme opinions which they expressed in the other House on the principle of the Budget, which they then stated they believed to involve a violation of faith with the public creditor, and to endanger the national honour. Sincerely do I hope that the noble Earl and his Colleagues, when they bring forward their own Budget, may be enabled to frame the renewed income tax on such a footing of justice—I cannot say of absolute and positive equity to all classes—but of justice in its general arrangements—that they may be enabled so to diminish the present inequality as to induce the House of Commons to consent to the reimposition of that tax; for I can assure the noble Earl that no man is more desirous than I am to preserve inviolate the faith of the country, and to secure due supplies for the exigencies of the public service; and no man can be more entirely convinced than I am, that, without a renewal of the income tax, in some shape or other, neither the present nor any other Government can obtain the requisite funds for conducting the public service. I make these remarks with a very general application, and speaking only of the vague programme of the measures of the noble Earl, so far as he has yet developed them. I must, however, take occasion to protest against the language which the noble Earl has used, as applied to several of those who are now his Colleagues—that between them there is only a distinction without a difference—and that there are such immaterial points of difference between all parties as to make the country at last sick of seeing nominal separations between public men. The noble Earl must forgive me for saying that either on this or on a former occasion he has been greatly mistaken—that he is mistaken in respect to there being no difference between himself and his Colleagues—or that he was mistaken when he stated that between himself and me there was only a difference with respect to recent commercial legislation. I will not enter into a consideration of the *personnel* of his Cabinet; and I will not discuss the mutual concessions which may have been made of private and individual feelings. In a free country I know it is necessary for some extreme opinions to be conceded, and for Gentlemen acting together in a political party to consent to such suppressions or modifications of their own views as, without a violation of their principles, tend to the harmonious, safe, and successful action of the whole body. But when I am told that the present Cabinet comprises the names of all the most important men, the heads of all the principal parties in this country, then, I say, it seems to me that concession must have been carried to a very considerable length—to a degree, at which I cannot help doubting whether the advantage gained by temporary union, as Members of the same Government, may not be counterbalanced by the creation of a distrust in the public mind as to the principles on which that alliance is to be conducted. I must say I was astonished at the noble Earl when he stated that for the last thirty years the foreign policy of this country has substantially been the same. I quite concur in those views of foreign policy which the noble Earl has this evening developed. They are, I believe, precisely the same views which I expressed when first speaking for the late Government from the place which the noble Earl now occupies, and when I was fortunate enough to obtain the noble Earl's approval. But when I look back on the recent history—when I consider the antecedents of the noble Earl—and when I recollect the language in which the noble Earl commented on the system—not on incidental episodes, but on the system in which the foreign policy of the country was at one time conducted by statesmen who are now the Colleagues of the noble Earl, I must say that we are going very far indeed if we agree with the noble Earl now that there is only a distinction without a difference between the foreign policy of the present Government, and of the Government against whom the noble Earl, on the ground of its erroneous foreign policy, has so often, so ably, and so eloquently inveighed. The noble Earl has intimated to us that he intends and he desires to promote and to develop the national education; giving due weight to the authority and influence of the religious views of the country, but at the same time basing the system of national education upon equality and toleration. The idea is most praiseworthy; it is one in which I entirely concur. The difficulties in the way of carrying out the wish are great, as the noble Earl is evidently well aware; and I only hope and trust that the noble Earl may be enabled to surmount those difficulties, and to place before the country a plan of national education in which all parties may concur; and I express this hope because I agree with the noble Earl that in the extension of education—by which I mean education governed by religion, as I am sure the noble Earl means too—lies the best security for the social and political safety and prosperity of the Empire. The noble Earl also announces his desire to proceed on a system of administrative reform; and upon that again there can be no difference of opinion, and the noble Earl will not anticipate in that respect any opposition from me or from my friends—at all events, with regard to the principles—the details, of course, depending on the skill with which the measures may be constructed. The noble Earl also tells us that he intends to deal with the laws affecting the representation of the people. On that subject the noble Earl spoke in a tone somewhat oracular; for he said the noble Lord the Member for the City of London must be a Conservative, or he would not have joined that noble Lord in a Government; and that, on the other hand, he must be a Liberal, or the noble Lord would not have joined him. Perhaps he might have mentioned other Members of the Government on whom he might have depended for even a larger degree of liberality than characterised the noble Lord; but the antithesis was, perhaps, complete: and the noble Earl has contented himself with stating that his measure of Parliamentary Reform will be conservatively liberal, and liberally conservative, and that is all the intimation we have with regard to his future policy in reference to the representation of the people. I confess that it does not convey to my mind any very distinct idea, and I hardly think that it can be satisfactory to the country. The advantages to the noble Earl are obvious from this vagueness; for whatever his measure, he can say that he had described it. If it is extreme, and people complain that it goes too far, the noble Earl will say, "Well, did not I tell you I meant to be liberal;" and if other parties say "Oh, this is nothing at all—it is a distinction without a difference," the noble Earl can turn round on them and say, "Gentlemen, I told you at the outset I would be extremely Conservative." The noble Earl and his Colleagues, in fact, so far as they are pledged by his description as given this evening, can do what they like. They may go the length of the right hon. Baronet in the Cabinet, who is favourable to the consideration of the ballot; or they may make some paltry alteration in the constituencies, for which they would receive no thanks, and because it would be a useless, would be a mischievous change. My Lords, I say the existing system is not perfect; it is capable of amendment and improvement; but everything depends upon whether the improvement be one in principle, on the *animus* with which the measure is introduced, and on the skill with which the plan is adapted to its object. Unless there be a clear benefit without corresponding danger, then I say the noble Earl and his Colleagues do not act wisely in entering on a field calculated to raise so much difficulty and apprehension, unless they clearly see a palpable and manifest advantage. The noble Earl has alluded to language of mine at various times, and which I repeat now, conveying my apprehension of the extension of the democratic principle in our constitution. The noble Earl says that he never knew the country more contented, or less disposed to listen to agitation, or more thoroughly satisfied with existing institutions than at present; and he says that he sees nothing like the prevalence of "democracy;" and that although there are some individuals who entertain visionary political schemes, he does not believe that the great body of the people sympathise in those schemes. I entirely concur with the noble Earl; I think the great body of the people do not concur in those schemes; and I believe that if they foresaw the possible consequences of such schemes on the Government, they would shrink from them and from their authors with horror. But when he asks me if the great mass of the people—those, I mean, who, in point of position and station, are very far below the classes now entitled to the franchise—are, from their intelligence and far-seeing, capable of well-judging the effects of alterations in our constitutional system, or of extensive and complicated political measures, then I say, confiding as I do fully in the good faith and in the loyalty of my countrymen, there is danger in entrusting with political power those who have too little—mark, not of intelligence, but—of acquired information, and too small a stake in the country, for them fairly and impartially to consider questions of political change. When I speak, therefore, of the spread of the democratic element in our constitution—and that is the phrase I have always used—I do not, I say, impeach the loyalty of my countrymen, but I contend that, great as the influence of the House of Commons is at present, and great as it must be in the constitution of the country, generally, there is a serious danger of altering the character of the House of Commons by throwing too large a proportion of the representation of that body into the hands of the lower and less-informed classes of society. I cannot, however, anticipate opposition to the measure the noble Earl may bring forward; from his language it is at present impossible to surmise what the character of that measure may be. The noble Earl says that the proceedings of the recent general election convinced him that the present system is unsatisfactory. If he can find a remedy for the correction of those evils to which he refers—and let him observe that the remedy is not to be found in the mere extension of the franchise, for it is in the large constituencies chiefly that these evils have been perceived—then I say there is no one from whom he shall receive a more cordial support in applying that remedy, however stringent it may be, than from the man whom the noble Earl very erroneously supposes to be hostile to his Administration. I can only say, in conclusion, that I have no feeling, personal or public, hostile to the noble Earl. I cannot say, when I look at the composition of his Government, that I entertain any confidence in it, for I have no conception of the principle upon which the combination has been brought about. But if the noble Earl is prepared, and has power in his own Cabinet, to act on those which I have hitherto believed to be his own principles, he may rely on it, not only that he will receive no evidence of hostility from me, but that it will be satisfactory to me to find that, under his auspices, the Government of this country can be safely, steadily, and constitutionally carried on, in the true Conservative sense of the word, not avoiding or shrinking from useful and necessary amendments, but strenuously and determinedly resisting organic changes, and firmly opposing any interference with the just principles of the constitution.

House adjourned to *Thursday*, the 10th of *February* next.

HOUSE OF COMMONS,

Monday, December 27, 1852.

Minutes.] New Writs.—For London, *v.* Lord John Russell, Secretary of State; Tiverton, *v.* Viscount Palmerston, Secretar;y of State Oxford University, *v.* Right Hon. William Ewart Gladstone, Chancellor of the Exchequer; Wilts (Southern Division), *v.* Right Hon. Sidney Herbert, Secretary at War; Carlisle, *v.* Right Hon. Sir James Robert George Graham, baronet, First Lord of the Admiralty; Halifax, *v.* Right Hon. Sir Charles Wood, baronet, President of the Board of Control; Southwark, *v.* Sir William Molesworth, baronet, Chief Commissioner of Works; Leeds, *v.* Right Hon. Matthew Talbot Baines, President of Poor Law Board; Nottingham, *v.* Right Hon. Edward Strutt, Chancellor of the Duchy of Lancaster; Cavan, *v.* Right Hon. Sir John Young, baronet, Chief Secretary for Ireland; Marlborough, *v.* Lord Ernest Bruce, Vice-Chamberlain of the Household; Scarborough, *v.* Earl of Mulgrave, Treasurer of the Household; Hertford, *v.* Hon. William Francis Cowper, Lord of the Admiralty; Morpeth, *v.* Hon. Edward George Granville Howard, Manor of Northstead.

House adjourned at a quarter after Two o'clock.

HOUSE OF COMMONS,

Tuesday, December 28, 1852.

The House met; and certain petitions and returns having been *presented,*

House adjourned at a quarter after Two o'clock.

HOUSE OF COMMONS,

Wednesday, December 29, 1852.

Minutes.] New Writs.—For Wolverhampton, *v.* the Hon. Charles Pelham Villiers, Judge Advocate General; Aylesbury, *v.* Richard Bethell, esquire, Solicitor General; Oxford City, *v.* Sir William Page Wood, Vice-Chancellor; Leith District of Burghs, *v.* James Moncrieff, esquire, Lord Advocate of Scotland; Dumfriesshire, *v.* Viscount Drumlanrig, Comptroller of the Household; Gloucester City, *v.* Hon. Maurice Frederick Fitzhardinge Berkeley, Commissioner of the Admiralty; Limerick County, *v.* William Monsell, esquire, Clerk of the Ordnance; Brighton, *v.* Lord Alfred Hervey, Commissioner of the Treasury; Southampton Town, *v.* Sir Alexander James Edmund Cockburn, Attorney General; Carlow Borough, *v.* John Sadleir, esquire, Commissioner of the Treasury.

NEW WRIT FOR SOUTHAMPTON.

Mr. **HAYTER** moved, that a new writ be issued for the borough of Southampton, in the room of Sir Alexander Cockburn, who since his election had accepted the office of Her Majesty's Attorney General.

Colonel **FORESTER** said, he should like to have the opinion of Mr. Speaker whether a new writ could be issued for Southampton pending the petition against the former return of Sir Alexander Cockburn on the ground of bribery?

Mr. **SPEAKER** said, that in the case of an election petition complaining of an undue return, or of the return of a Member in consequence of bribery, but not claiming the seat for another person, it was competent for the House to issue a new writ; but in the case of a petition complaining of the undue return of a Member, and claiming the seat for another person, it was not competent for the House to issue a new writ pending the petition, inasmuch as the House in that case could not know which of the two Members had been duly elected.

Mr. FITZSTEPHEN FRENCH said, that as the petition against Sir Alexander Cockburn merely prayed that the election should be declared a void election, it did not appear to him that any injury could be done to the petitioners by the issuing of a new writ; because the opposing candidate had only to serve a notice that the hon. and learned Gentleman was disqualified for sitting in that House in consequence of having been guilty of bribery, and then, if he should afterwards be found guilty of this charge by the Committee who had been appointed to try the petition, he would consequently be disqualified, and the person opposing him would be declared the sitting Member.

Mr. HAYTER said, he had been requested by Sir Alexander Cockburn to say that he would not have consented to vacate his seat if he had not felt certain that the persons who had made the charge — which he believed was perfectly unfounded—were competent to renew the charge in the event of his being re-elected.

Motion *agreed to.*

The House adjourned at half after Twelve o'clock till *Friday.*

HOUSE OF COMMONS,

Friday, December 31, 1852.

Minutes.] New Writs.—For Haddingtonshire, *v.* the Hon. Francis Wemyss Charteris, Commissiouer of the Treasury; Lichfield, *v.* Lord Alfred Paget, Chief Equerry and Clerk Marshal.

The House adjourned at a quarter after Two o'clock, till *Thursday,* 10th *February.*

LIST OF THE MINISTRY.

THE MINISTRY OF THE EARL OF ABERDEEN,

AS FORMED IN DECEMBER, 1852.

THE CABINET.

First Lord of the Treasury	Right Hon. Earl of Aberdeen.
Lord Chancellor	Right Hon. Lord Cranworth.
Chancellor of the Exchequer	Right Hon. William Ewart Gladstone.
President of the Council	Right Hon. Earl Granville.
Privy Seal	His Grace the Duke of Argyll.
Home Secretary	Right Hon. Viscount Palmerston.
Foreign Secretary	Right Hon. Lord John Russell.
Colonial Secretary	His Grace the Duke of Newcastle.
First Lord of the Admiralty	Right Hon. James Robert George Graham, Bt.
President of the Board of Control	Right Hon. Sir Charles Wood, Bt.
Secretary at War	Right Hon. Sidney Herbert.
First Commissioner of Works and Public Buildings	Right Hon. Sir William Molesworth, Bt.
	Most Hon. Marquess of Lansdowne.

NOT IN THE CABINET.

Commander in Chief	Right Hon. Viscount Hardinge.
Master General of the Ordnance	Right Hon. Lord Raglan.
President of the Board of Trade	Right Hon. Edward Cardwell.
Paymaster of the Forces, and Vice-President of the Board of Trade	Right Hon. Lord Stanley of Alderley.
Chancellor of the Duchy of Lancaster	Right Hon. Edward Strutt.
Postmaster General	Right Hon. Viscount Canning.
Lords of the Treasury	Lord Alfred Hervey, Hon. Francis Wemyss Charteris, and John Sadleir, Esq.
Lords of the Admiralty	Vice Admiral Hyde Parker, C.B., Rear Admiral Maurice Frederick Fitzhardinge Berkeley, C.B., Captain Hon. Richard Saunders Dundas, C.B., Captain Alexander Milne, and Hon. William Francis Cowper.
Under Secretary for the Home Department	Hon. Henry Fitzroy.
Under Secretary for Foreign Affairs	Right Hon. Lord Wodehouse.
Under Secretary for the Colonies	Frederick Peel, Esq.
Joint Secretaries of the Treasury	Right Hon. William Goodenough Hayter, and James Wilson, Esq.
Secretary of the Admiralty	Ralph Bernal Osborne, Esq.
Joint Secretaries of the Board of Control	Sir Thomas Nicholson Redington, and Robert Lowe, Esq.
Surveyor General of the Ordnance	Lieut. Colonel Hon. Lauderdale Maule.
Clerk of the Ordnance	William Monsell, Esq.
Attorney General	Sir Alexander James Edmund Cockburn, Knt.
Solicitor General	Richard Bethell, Esq.
Judge-Advocate General	Hon. Charles Pelham Villiers.
Chief Poor Law Commissioner	Right Hon. Matthew Talbot Baines.
Secretary to the Poor Law Commissioners	Charles Lennox Grenville Berkeley, Esq.

SCOTLAND.

Lord Advocate	Right Hon. James Moncreiff.
Solicitor General	Robert Handyside, Esq.

IRELAND.

Lord Lieutenant	Right Hon. Earl of St. Germans.
Lord Chancellor	Right Hon. Maziere Brady.
Chief Secretary	Right Hon. Sir John Young, Bt.
Attorney General	Right Hon. Abraham Brewster.
Solicitor General	William Keogh, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	His Grace the Duke of Norfolk.
Lord Chamberlain	Most Hon. Marquess of Breadalbane.
Master of the Horse	His Grace the Duke of Wellington.
Master of the Buckhounds	Right Hon. Earl of Bessborough.
Vice-Chamberlain	Right Hon. Lord Ernest Augustus Charles Brudenell Bruce.
Treasurer of the Household	Right Hon. Earl of Mulgrave.
Comptroller of the Household	Right Hon. Viscount Drumlanrig.
Captain of the Yeomen of the Guard	Right Hon. Viscount Sydney.
Captain of the Corps of Gentlemen at Arms	Right Hon. Lord Foley.
Chief Equerry and Clerk Marshal	Lord Alfred Henry Paget.
Mistress of the Robes	Duchess of Sutherland.

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TO

HANSARD'S PARLIAMENTARY DEBATES,

VOLUME CXXIII.

FIRST VOLUME OF SESSION 1852–1853.

Explanation of the Abbreviations.

1*R.* 2*R.* 3*R.* First, Second, or Third Reading.—*Amend.*, Amendment.—*Res.*, Resolution.—*Com.* Committee.—*Re-Com.*, Re-committal.—*Rep.*, Report.—*Adj.*, Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.— *l.*, Lords.—*c.*, Commons—*m. q.*, Main Question.—*o. q.*, Original Question.—*o. m.*, Original Motion. —*p. q.*, Previous Question.—*r. p.*, Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—1*st Div.*, 2*nd Div.* First or Second Division.

☞ When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorised Report.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

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ERRATA.

Page 127, lines 5 and 23, *for* Lord High Steward *read* Lord Steward.
,, 271, line 32, *for* 42, *read* 142.

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